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PREFIX TO STATUTES, 1926

CONTAINING THE TREATY FOR THE SUPPRESSION OF SMUGGLING
AND RESPECTING VIOLATION OF THE NARCOTIC LAWS, AND
CARRIAGE OF LIQUOR THROUGH ALASKA INTO THE
YUKON, THE CONVENTION FOR THE EXTRADITION
OF OFFENDERS AGAINST THE NARCOTIC LAWS,
THE TREATY FOR THE FURTHER DEMARCA-
TION OF THE INTERNATIONAL BOUNDARY,
AND THE CONVENTION AND PROTOCOL
FOR REGULATING THE LEVEL OF THE
LAKE OF THE WOODS, AND CERTAIN
PROCLAMATIONS AND ORDERS IN
COUNCIL OF THE GOVERNOR
GENERAL IN COUNCIL.

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PREFIX.

TREATY

For the Suppression of Smuggling Operations along the International Boundary between the Dominion of Canada and the United States and Assisting in the Arrest and Prosecution of Persons Violating the Narcotic Laws of either Government and for Kindred Purposes.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the United States of America being desirous of suppressing smuggling operations along the boundary between the Dominion of Canada and the United States of America, and of assisting in the arrest and prosecution of persons violating the narcotic laws of either Government, and of providing as to the omission of penalties and forfeitures in respect to the carriage of alcoholic liquors through Alaska into the Yukon territory, have agreed to conclude a Convention to give effect to these purposes and have named as their Plenipotentiaries:

His Britannic Majesty, in respect of the Dominion of Canada: The Honourable Ernest Lapointe, K.C., a member of His Majesty's Privy Council for Canada and Minister of Justice in the Government of that Dominion; and

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States;

Who, having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following articles:

ARTICLE I.

The High Contracting Parties agree that the appropriate officers of the Governments of Canada and of the United States of America respectively shall be required to furnish upon request to duly authorized officers of the other Government, information concerning clearances of vessels or the transportation of cargoes, shipments or loads of articles across the international boundary when the importation of the cargo carried or of articles transported by land is subject to the payment of duties; also to furnish information respecting clearances of vessels to any ports when there is ground to suspect that the owners or persons in possession of the cargo intend to smuggle it into the territory of Canada or of the United States.

ARTICLE II.

The High Contracting Parties agree that clearance from Canada or from the United States shall be denied to any vessel carrying cargo consisting of articles the importation of which into the territory of Canada or of the United States, as the case may be, is prohibited, when it is evident from the tonnage, size and general character of the vessel, or the length of the voyage and the perils or conditions of navigation attendant upon it, that the vessel will be unable to carry its cargo to the destination proposed in the application for clearance.

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ARTICLE III.

Each of the High Contracting Parties agrees with the other that property of all kinds in its possession which, having been stolen and brought into the territory of Canada or of the United States, is seized by its customs authorities shall, when the owners are nationals of the other country, be returned to such owners, subject to satisfactory proof of such ownership and the absence of any collusion, and subject moreover to payment of the expenses of the seizure and detention and to the abandonment of any claims by the owners against the customs, or the customs officers, warehousemen or agents, for compensation or damages for the seizure, detention, warehousing or keeping of the property.

ARTICLE IV.

The High Contracting Parties reciprocally agree to exchange information concerning the names and activities of all persons known or suspected to be engaged in violations of the narcotic laws of Canada or of the United States respectively.

ARTICLE V.

It is agreed that the customs and other administrative officials of the respective Governments of Canada and of the United States shall upon request be directed to attend as witnesses and to produce such available records and files or certified copies thereof as may be considered essential to the trial of civil or criminal cases, and as may be produced compatibly with the public interest.

The cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases, and the cost of first-class transportation both ways, maintenance and other proper expenses involved in the attendance of such witnesses shall be paid by the nation requesting their attendance at the time of their discharge by the court from further attendance at such trial. Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents shall be certified promptly by the appropriate officials in accordance with the provisions of the laws of the respective countries.

ARTICLE VI.

The following offences are added to the list of offences numbered 1 to 3 in Article I of the Treaty concluded between Great Britain and the United States on May 18, 1908, with reference to reciprocal rights for Canada and the United States in the matters of conveyance of prisoners and wrecking and salvage, that is to say:

4. Offences against the narcotic laws of the respective Governments.

ARTICLE VII.

No penalty or forfeiture under the laws of the United States shall be applicable or attached to alcoholic liquors or to vessels, vehicles or persons by reason of the carriage of such liquors when they are in transit under guard by Canadian authorities through the territorial waters of the United States to Skagway, Alaska, and thence by the shortest route, via the White Pass and Yukon Railway, upwards of twenty miles to Canadian territory, and such transit shall be as now provided by law with respect to the transit of alcoholic liquors through the Panama Canal or on the Panama Railroad, provided that such liquors shall be kept under seal continuously while the vessel or vehicle on which they are carried remains within the United States, its territories or possessions, and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

ARTICLE VIII.

This Convention shall be ratified, and the ratifications shall be exchanged at Washington as soon as possible. The Convention shall come into effect at the expiration of ten days from the date of the exchange of ratifications, and it shall remain in force for one year. If upon the expiration of one year after the Convention shall have been in force no notice is given by either party of a desire to terminate the same, it shall continue in force until thirty days after either party shall have given notice to the other of a desire to terminate the Convention.

In witness whereof, the respective Plenipotentiaries have signed the present Convention in duplicate and have thereunto affixed their seals.

Done at the city of Washington this sixth day of June, one thousand nine hundred and twenty-four.

[SEAL]

ERNEST LAPOINTE.

[SEAL]

CHARLES EVANS HUGHES.

CONVENTION

Between His Britannic Majesty, in Respect of the Dominion of Canada, and the United States, for the Extradition of Offenders against the Laws for the Suppression of the Traffic in Narcotics.

THE President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, being desirous of enlarging the list of crimes on account of which extradition may be granted with regard to certain offences committed in the United States or in the Dominion of Canada, under the Conventions, concluded between the United States and Great Britain on the 12th July, 1889, and the 13th December, 1900, and the 12th April, 1905, and the 15th May, 1922, with a view to the better administration of justice and the prevention of crime, have resolved to conclude a Supplementary Convention for this purpose, and have appointed as their Plenipotentiaries, to wit:

The President of the United States of America : Charles Evans Hughes, Secretary of State of the United States of America, and

His Britannic Majesty: The Honourable Ernest Lapointe, Minister of Justice to the Dominion of Canada.

Who, after having communicated to each other their respective full powers which were found to be in due and proper form, have agreed to and concluded the following Articles:

ARTICLE I

The following crimes are, subject to the provision contained in Article II hereof, added to the list of crimes numbered 1 to 10 in the 1st Article of the said Convention of the 12th July, 1889, and to the list of crimes numbered 11 and 13 in Article 1 of the Supplementary Convention concluded between the United States and Great Britain on the 13th December, 1900, and to the list of crimes numbered 14 and 15 in Article 1 of the Supplementary Convention concluded between the United States and Great Britain on the 12th April, 1905, and to the list of crimes numbered 16 in Article 1 of the Supplementary Convention concluded between the United States and Great Britain on the 15th May, 1922, that is to say:

17. Crimes and offences against the laws for the suppression of the traffic in narcotics.

ARTICLE II

The operation of the present Convention is confined to cases in which the offences mentioned in the preceding Article having been committed in the United States or in the Dominion of Canada, the person charged with the offence is found in the Dominion of Canada or in the United States respectively.

ARTICLE III

The present Convention shall be considered as an integral part of the said Extradition Conventions of the 12th July, 1889, and the 13th December, 1900, and the 12th April, 1905, and the 15th May, 1922, and the 1st Article of the said Convention of the 12th July, 1889, shall be read as if the list of crimes therein contained had originally comprised the additional crimes specified and numbered 17 in the 1st Article of the present Convention subject to the provision contained in Article II.

The present Convention shall be ratified, and the ratifications shall be exchanged either at Washington or Ottawa as soon as possible.

It shall come into force ten days after its publication in conformity with the laws of the High Contracting Parties, and it shall continue and terminate in the same manner as the said Convention of the 12th July, 1889.

In testimony whereof, the respective plenipotentiaries have signed the present Supplementary Convention and have affixed their seals thereto.

Done in duplicate at the City of Washington, this eight day of January, in the year one thousand nine hundred and twenty-five.

[SEAL]	CHARLES EVANS HUGHES,
[SEAL]	ERNEST LAPOINTE.

TREATY

Between His Britannic Majesty in respect of the Dominion of Canada, and the United States, for the further demarcation of the boundary between Canada and the United States.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada and the United States of America, desiring to define more accurately at certain points and to complete the international boundary between the United States and Canada and to maintain the demarcation of that boundary, have resolved to conclude a treaty for these purposes, and to that end have appointed as their respective plenipotentiaries:

His Britannic Majesty, in respect of the Dominion of Canada: The Honourable Ernest Lapointe, K.C., a member of His Majesty's Privy Council for Canada, and Minister of Justice in the Government of that Dominion; and

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States:

Who, after having communicated to each other their respective full powers which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I

Whereas Article V of the Treaty concerning the boundary between the Dominion of Canada and the United States, concluded on April 11, 1908, between Great Britain and the United States, provided for the survey and demarcation of the international boundary line between the Dominion of Canada and the United States from the mouth of Pigeon river, at the western shore of lake Superior, to the northwesternmost point of Lake of the Woods, as defined by the treaties concluded between Great Britain and the United States on September 3, 1783, and August 9, 1842;

And whereas Article VI of the said Treaty concluded on April 11, 1908, provided for the relocation and repair of lost or damaged monuments and for the establishment of additional monuments and boundary marks along the course of the international boundary between the Dominion of Canada and the United States from the northwesternmost point of Lake of the Woods to the summit of the Rocky mountains, as established under existing treaties and surveyed, charted, and monumented by the Joint Commission appointed for that purpose by joint action of the Contracting Parties in 1872;

And whereas it has been found by surveys executed under the direction of the Commissioners appointed pursuant to the said Treaty of April 11, 1908, that the boundary line between the Dominion of Canada and the United States from the mouth of Pigeon river, at the western shore of lake Superior, to the northwesternmost point of Lake of the Woods as defined by the treaties concluded on September 3, 1783, and August 9, 1842, is intersected by the boundary from the northwesternmost point of Lake of the Woods to the summit of the Rocky mountains as established under existing treaties and surveyed, charted, and monumented by the Joint Commission appointed for that purpose in 1872, at five points in Lake of the Woods adjacent to and directly south of the said northwesternmost point, and that there are two small areas of United States waters in Lake of the Woods, comprising a total area of two and one-half acres, entirely surrounded by Canadian waters;

And whereas no permanent monuments were ever erected on these boundary lines north of the most southerly of these points of intersection;

The Contracting Parties, in order to provide for a more practical definition of the boundary between the Dominion of Canada and the United States in Lake of the Woods, hereby agree that this most southerly point of intersection being in latitude $49^{\circ} 23' 04''.49$ north, and longitude $95^{\circ} 09' 11''.61$ west, shall be the terminus of the boundary line heretofore referred to as the international boundary line between the Dominion of Canada and the United States from the mouth of the Pigeon river, at the western shore of lake Superior, to the northwesternmost point of Lake of the Woods and the initial point of the boundary line heretofore referred to as the international boundary between the Dominion of Canada and the United States from the northwesternmost point of Lake of the Woods to the summit of the Rocky mountains, in lieu of the said northwesternmost point.

The aforesaid most southerly point shall be located and monumented by the Commissioners appointed under the said Treaty of April 11, 1908, and shall be marked by them on the chart or charts prepared in accordance with the provisions of Articles V and VI of the said Treaty, and a detailed account of the work done by the Commissioners in locating said point, together with a description of the character and location of the several monuments erected, shall be included in the report or reports prepared pursuant to the said Articles.

The point so defined and monumented shall be taken and deemed to be the terminus of the boundary line heretofore referred to as the international boundary line between the Dominion of Canada and the United States, from the mouth of Pigeon river, at the western shore of lake Superior, to the northwesternmost point of Lake of the Woods and the initial point of the boundary line heretofore referred to as the international boundary between the Dominion of Canada and the United States from the northwesternmost point of Lake of the Woods to the summit of the Rocky mountains.

ARTICLE II.

Whereas Article VI of the Treaty concerning the boundary between the Dominion of Canada and the United States concluded on April 11, 1908, between Great Britain and the United States, provided for the relocation and repair of lost or damaged monuments and for the establishment of additional monuments and boundary marks along the courses of the international boundary between the Dominion of Canada and the United States from the northwesternmost point of Lake of the Woods south of the 49th parallel of north latitude and thence westward along said parallel of latitude to the summit of the Rocky mountains, as established under existing treaties and surveyed, charted, and monumented by the Joint Commission appointed for that purpose by joint action of the Contracting Parties in 1872;

And whereas Article VI of the said Treaty concluded on April 11, 1908, further provides that in carrying out the provisions of that article the agreement stated in the protocol of the final meeting of the said Joint Commission, dated May 29, 1876, should be observed, by which protocol it was agreed that in the intervals between the monuments along the 49th parallel of north latitude the boundary line has the curvature of a parallel of 49° north latitude;

And whereas the Commissioners appointed and acting under the provisions of Article VI of the said Treaty of 1908 have marked the boundary line wherever necessary in the intervals between the originals monuments established by the said Joint Commission, appointed in 1872, in accordance with the agreement stated in the Protocol of the final meeting, dated May 29, 1876, of the Joint Commission aforesaid, and as set forth in Article VI of the Treaty of 1908, by placing intermediate monuments on lines joining the original monuments, which have in each case the curvature of a parallel of 49° north latitude;

And whereas the average distance between adjacent monuments as thus established or re-established along the 49th parallel of north latitude from Lake of the Woods to the summit of the Rocky mountains by the Commissioners acting under Article VI of the Treaty of 1908 is one and one-third miles and therefore the deviation of the curve of the 49th parallel from a straight or right line joining adjacent monuments is, for this average distance between monuments, only one-third of a foot, and in no case does the actual deviation exceed one and eight-tenths feet;

And whereas it is impracticable to determine the course of a line having the curvature of a parallel of 49° north latitude on the ground between the adjacent monuments which have been established or re-established by the Commissioners and the demarcation of the boundary would be more thoroughly effective if the line between adjacent monuments be defined as a straight or right line;

And whereas it is desirable that the boundary at any point between adjacent monuments may be conveniently ascertainable on the ground, the Contracting Parties, in order to complete and render thoroughly effective the demarcation of the boundary between the Dominion of Canada and the United States from the northwesternmost point of Lake of the Woods to the summit of the Rocky mountains, hereby agree that the line heretofore referred to as the international boundary between the Dominion of Canada and the United States from the northwesternmost point of Lake of the Woods to the summit of the Rocky mountains shall be defined as consisting of a series of right or straight lines joining adjacent monuments as now established or re-established and as now laid down on charts by the Commissioners acting under Article VI of the Treaty of 1908, in lieu of the definition set forth in the agreement of the aforesaid Joint Commissioners, dated May 29, 1876, and quoted in Article VI of the said Treaty of 1908, that in the intervals between the monuments the line has the curvature of the parallel of 49° north latitude.

ARTICLE III.

Whereas the Treaty concluded on May 21, 1910, between Great Britain and the United States, defined the international boundary line between the Dominion of Canada and the United States from a point in Passamaquoddy bay lying between Treat Island and Friar Head to the middle of Grand Manan channel and provided that the location of the line so defined should be laid down and marked by the Commissioners appointed under the Treaty of April 11, 1908;

And whereas it has been found by the surveys executed pursuant to the said Treaty of May 21, 1910, that the terminus of the boundary line defined by said Treaty at the middle of Grand Manan channel is less than three nautical miles distant both from the shore line of Grand Manan Island in the Dominion of Canada and from the shore line of the State of Maine in the United States, and that there is a small zone of waters of controvertible jurisdiction in Grand Manan channel between said terminus and the high seas;

The Contracting Parties, in order completely to define the boundary line between the Dominion of Canada and the United States in the Grand Manan channel, hereby agree that an additional course shall be extended from the terminus of the boundary line defined by the said Treaty of May 21, 1910, south 34° 42' west, for a distance of two thousand three hundred eighty-three (2,383) meters, through the middle of Grand Manan channel, to the high seas.

The course so defined shall be located and marked by the Commissioners appointed under the Treaty of April 11, 1908, and shall be laid down by them on the chart or charts adopted in accordance with the provisions of Article 1

of the said Treaty, and a detailed account of the work done by the Commissioners in locating and marking said line, together with a description of the several monuments erected, shall be included in the report or reports prepared pursuant to Article 1 of the Treaty of April 11, 1908.

The course so defined and laid down shall be taken and deemed to be the boundary line between the Dominion of Canada and the United States in Grand Manan channel from the terminus of the boundary line as defined by the Treaty of May 21, 1910, to the high seas.

ARTICLE IV

Whereas, pursuant to existing treaties between Great Britain and the United States, a survey and effective demarcation of the boundary line between the Dominion of Canada and the United States through the Great Lakes and the St. Lawrence river and through the straits of Georgia, Haro, and Juan de Fuca from the 49th parallel to the Pacific ocean and between the Dominion of Canada and Alaska from the Arctic ocean to mount St. Elias have been made and the signed joint maps and reports in respect thereto have been filed with the two governments;

And whereas a survey and effective demarcation of the boundary line between the Dominion of Canada and the United States from the gulf of Georgia to lake Superior and from the St. Lawrence river to the Atlantic ocean and between the Dominion of Canada and Alaska from mount St. Elias to cape Muzon are nearing completion;

And whereas boundary monuments deteriorate and at times are destroyed or damaged; and boundary vistas become closed by the growth of timber;

And whereas changing conditions require from time to time that the boundary be marked more precisely and plainly by the establishment of additional monuments or the relocation of existing monuments;

The Contracting Parties, in order to provide for the maintenance of an effective boundary line between the Dominion of Canada and the United States, and between the Dominion of Canada and Alaska, as established or to be established, and for the determination of the location of any point thereof, which may become necessary in the settlement of any question that may arise between the two Governments, hereby agree that the Commissioners appointed under the provisions of the Treaty of April 11, 1908, are hereby jointly empowered and directed; to inspect the various sections of the boundary line between the Dominion of Canada and the United States and between the Dominion of Canada and Alaska at such times as they shall deem necessary; to repair all damaged monuments and buoys; to relocate and rebuild monuments which have been destroyed; to keep the boundary vistas open; to move boundary monuments to new sites and establish such additional monuments and buoys as they shall deem desirable; to maintain at all times an effective boundary line between the Dominion of Canada and the United States and between the Dominion of Canada and Alaska, as defined by the present treaty and treaties heretofore concluded, or hereafter to be concluded and to determine the location of any point of the boundary line which may become necessary in the settlement of any question that may arise between the two governments.

The said Commissioners shall submit to their respective governments from time to time, at least once in every calendar year, a joint report containing a statement of the inspections made, the monuments and buoys repaired, relocated, rebuilt, moved, and established, and the mileage and location of vistas opened, and shall submit with their reports, plats and tables certified and signed by the

Commissioners, giving the locations and geodetic positions of all monuments moved and all additional monuments established within the year, and such other information as may be necessary to keep the boundary maps and records accurately revised.

After the completion of the survey and demarcation of the boundary line between the Dominion of Canada and the United States from the gulf of Georgia to lake Superior and from the St. Lawrence river to the Atlantic ocean, as provided for by the Treaty of April 11, 1908, the Commissioners appointed under the provisions of that Treaty shall continue to carry out the provisions of this Article, and, upon the death, resignation, or other disability of either of them, the Party on whose side the vacancy occurs shall appoint an expert geographer or surveyor as Commissioner, who shall have the same powers and duties in respect to carrying out the provisions of this Article as are conferred by this Article upon the Commissioner appointed under the provisions of the said Treaty of 1908.

The Contracting Parties further agree that each Government shall pay the salaries and expenses of its own Commissioner and his assistants, and that the expenses jointly incurred by the Commissioners in maintaining the demarcation of the boundary line in accordance with the provisions of this Article shall be borne equally by the two Governments.

ARTICLE V

This Treaty shall be ratified by the Contracting Parties and the ratifications shall be exchanged in Ottawa or Washington as soon as practicable. The Treaty shall take effect on the date of the exchange of ratifications.

Upon the expiration of six years from the date of the exchange of ratifications of the present Treaty, or any time thereafter, Article IV may be terminated upon twelve months' written notice given by either Contracting Party to the other, and following such termination the Commissioners therein mentioned and their successors shall cease to perform the functions thereby prescribed.

In faith whereof, the respective Plenipotentiaries have signed this Treaty in duplicate and have hereunto affixed their seals.

Done at Washington the 24th day of February, A.D., 1925.

[Seal] ERNEST LAPOINTE.

[Seal] CHARLES EVANS HUGHES.

CONVENTION AND PROTOCOL

Between His Britannic Majesty in respect of the Dominion of Canada, and the United States, for regulating the level of the Lake of the Woods, and of identical letters of reference submitting to the International Joint Commission certain questions as to the regulation of the levels of Rainy Lake and other upper waters.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the United States of America,

Desiring to regulate the level of Lake of the Woods in order to secure to the inhabitants of Canada and the United States the most advantageous use of the waters thereof and of the waters flowing into and from the lake on each side of the boundary between the two countries; and

Accepting as a basis of agreement the recommendations made by the International Joint Commission in its final report of May 18, 1917, on the Reference concerning Lake of the Woods submitted to it by the Governments of Canada and the United States of America,

Have resolved to conclude a Convention for that purpose and have accordingly named as their plenipotentiaries:—

His Britannic Majesty, in respect of the Dominion of Canada: The Honourable Ernest Lapointe, K.C., a Member of His Majesty's Privy Council for Canada and Minister of Justice in the Government of that Dominion; and

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States;

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

In the present Convention, the term "level of Lake of the Woods" or "level of the lake" means the level of the open lake unaffected by wind or currents.

The term "Lake of the Woods watershed" means the entire region in which the waters discharged at the outlets of the Lake of the Woods have their natural source.

The term "sea-level" datum means the datum permanently established by the International Joint Commission at the town of Warroad, Minnesota, of which the description is as follows:—

"Top of copper plug in concrete block carried below frost line, and located near fence in front of and to the west of new schoolhouse. Established October 3, 1912, Elevation, sea-level datum, 1068.797."

"The International Joint Commission" means the Commission established under the Treaty signed at Washington on the 11th day of January, 1909, between His Britannic Majesty and the United States of America, relating to boundary waters and questions arising between the United States and Canada.

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ARTICLE 2

The level of Lake of the Woods shall be regulated to the extent and in the manner provided for in the present Convention, with the object of securing to the inhabitants of Canada and the United States the most advantageous use of the waters thereof and of the waters flowing into and from the lake on each side of the boundary between the two countries for domestic and sanitary purposes, for navigation purposes, for fishing purposes, and for power, irrigation and reclamation purposes.

ARTICLE 3

The Government of Canada shall establish and maintain a Canadian Lake of the Woods Control Board, composed of engineers, which shall regulate and control the outflow of the waters of Lake of the Woods.

There shall be established and maintained an International Lake of the Woods Control Board composed of two engineers, one appointed by the Government of Canada and one by the Government of the United States from their respective public services, and whenever the level of the lake rises above elevation 1061 sea-level datum or falls below elevation 1056 sea-level datum the rate of total discharge of water from the lake shall be subject to the approval of this Board.

ARTICLE 4

The level of Lake of the Woods shall ordinarily be maintained between elevation 1056 and 1061.25 sea-level datum, and between these two elevations the regulations shall be such as to ensure the highest continuous uniform discharge of water from the lake.

During periods of excessive precipitation, the total discharge of water from the lake shall, upon the level reaching elevation 1061 sea-level datum, be so regulated as to ensure that the extreme high level of the lake shall at no time exceed elevation 1062.5 sea-level datum.

The level of the lake shall at no time be reduced below elevation 1056 sea-level datum except during periods of low precipitation and then only upon the approval of the International Lake of the Woods Control Board and subject to such conditions and limitations as may be necessary to protect the use of the waters of the lake for domestic, sanitary, navigation and fishing purposes.

ARTICLE 5

If in the opinion of the International Lake of the Woods Control Board the experience gained in the regulation of the lake under Articles 3 and 4, or the provision of additional facilities for the storage of waters tributary to the lake, demonstrates that it is practicable to permit the upper limit of the ordinary range in the levels of the lake to be raised from elevation 1061.25 sea-level datum to a higher level and at the same time to prevent during periods of excessive precipitation the extreme high level of the lake from exceeding elevation 1062.5 sea-level datum, this shall be permitted under such conditions as the International Lake of the Woods Control Board may prescribe. Should such permission be granted, the level at which under Article 3 the rate of total discharge of water from the lake becomes subject to the approval of the International Lake of the Woods Control Board may, upon the recommendation of that Board and with the approval of the International Joint Commission, be raised from elevation 1061 sea-level datum to a correspondingly higher level.

ARTICLE 6

Any disagreement between the members of the International Lake of the Woods Control Board as to the exercise of the functions of the Board under Articles 3, 4 and 5 shall be immediately referred by the Board to the International Joint Commission, whose decision shall be final.

ARTICLE 7

The outflow capacity of the outlets of Lake of the Woods shall be so enlarged as to permit of the discharge of not less than forty-seven thousand cubic feet of water per second (47,000 c.f.s.) when the level of the lake is at elevation 1061 sea-level datum.

The necessary works for this purpose, as well as the necessary works and dams for controlling and regulating the outflow of the water, shall be provided for at the instance of the Government of Canada, either by the improvement of existing works and dams or by the construction of additional works.

ARTICLE 8.

A flowage easement shall be permitted up to elevation 1064 sea-level datum upon all lands bordering on Lake of the Woods in the United States, and the United States assumes all liability to the owners of such lands for the costs of such easement.

The Government of the United States shall provide for the following protective works and measures in the United States along the shores of Lake of the Woods and the banks of Rainy river, in so far as such protective works and measures may be necessary for the purposes of the regulations of the level of the lake under the present Convention; namely, the removal or protection of buildings injuriously affected by erosion, and the protection of the banks at the mouth of Warroad river where subject to erosion, in so far in both cases as the erosion results from fluctuations in the level of the lake; the alteration of the railway embankment east of the town of Warroad, Minnesota, in so far as it may be necessary to prevent surface flooding of the higher lands in and around the town of Warroad; the making of provision for the increased cost, if any, of operating the existing sewage system of the town of Warroad, and the protection of the waterfront at the town of Baudette, Minnesota.

ARTICLE 9

The Dominion of Canada and the United States shall each on its own side of the boundary assume responsibility for any damage or injury which may have heretofore resulted to it or to its inhabitants from the fluctuations of the level of Lake of the Woods or of the outflow therefrom.

Each shall likewise assume responsibility for any damage or injury which may hereafter result to it or to its inhabitants from the regulation of the level of Lake of the Woods in the manner provided for in the present Convention.

ARTICLE 10

The Governments of Canada and the United States shall each be released from responsibility for any claims or expenses arising in the territory of the other in connection with the matters provided for in Articles 7, 8 and 9.

In consideration, however, of the undertakings of the United States as set forth in Article 8, the Government of Canada shall pay to the Government of the United States the sum of two hundred and seventy-five thousand dollars (\$275,000) in currency of the United States. Should this sum prove insufficient to cover the cost of such undertakings one half of the excess of such cost over the said sum shall, if the expenditure be incurred within five years of the coming into force of the present Convention, be paid by the Government of Canada.

ARTICLE 11

No diversion shall henceforth be made of any waters from the Lake of the Woods watershed to any other watershed except by authority of the United States or the Dominion of Canada within their respective territories and with the approval of the International Joint Commission.

ARTICLE 12

The present Convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the exchange of the ratifications, which shall take place at Washington or Ottawa as soon as possible.

In faith whereof the above named Plenipotentiaries have signed the present Convention and affixed their respective seals.

Done in duplicate at Washington, the 24th day of February, 1925.

[Seal] ERNEST LAPOINTE.

[Seal] CHARLES EVANS HUGHES.

PROTOCOL ACCOMPANYING CONVENTION TO REGULATE THE
LEVEL OF LAKE OF THE WOODS

At the moment of signing the Convention between His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the United States of America, regarding the regulation of the level of Lake of the Woods, the undersigned Plenipotentiaries have agreed as follows:—

1.

The plans of the necessary works for the enlargement of the outflow capacity of the outlets of Lake of the Woods provided for in Article 7 of the Convention, as well as of the necessary works and dams for controlling and regulating the outflow of the water, shall be referred to the International Lake of the Woods Control Board for an engineering report upon their suitability and sufficiency for the purpose of permitting the discharge of not less than forty-seven thousand cubic feet of water per second (47,000 c.f.s.) when the level of the lake is at elevation 1061 sea level datum. Any disagreement between the members of the International Lake of the Woods Control Board in regard to the matters so referred shall be immediately submitted by the Board to the International Joint Commission whose decision shall be final.

2.

Should it become necessary to set up a special tribunal to determine the cost of the acquisition of the flowage easement in the United States provided for in Article 8 of the Convention, the Government of Canada shall be afforded

an opportunity to be represented thereon. Should the cost be determined by means of the usual judicial procedure in the United States, the Government of Canada shall be given the privilege of representation by counsel in connection therewith.

3.

Since Canada is incurring extensive financial obligations in connection with the protective works and measures provided for in the United States along the shores of Lake of the Woods and the banks of Rainy River, under Article 8 of the Convention, the plans, together with the estimates of cost, of all such protective works and measures as the Government of the United States may propose to construct or provide for within five years of the coming into force of the Convention shall be referred to the International Lake of the Woods Control Board for an engineering report upon their suitability and sufficiency for the purpose of the regulation of the level of the lake under the Convention. Any disagreement between the members of the International Lake of the Woods Control Board in regard to the matters so referred shall be immediately submitted by the Board to the International Joint Commission whose decision shall be final.

4.

In order to ensure the fullest measure of co-operation between the International Lake of the Woods Control Board and the Canadian Lake of the Woods Control Board provided for in Article 3 of the Convention, the Government of Canada will appoint one member of the Canadian Board as its representative on the International Board.

5.

Until the outlets of Lake of the Woods have been enlarged in accordance with Article 7 of the Convention the upper limit of the ordinary range in the levels of the lake provided for in Article 4 of the Convention shall be elevation 1060.5 sea-level datum, and the International Lake of the Woods Control Board may advise the Canadian Lake of the Woods Control Board in respect of the rate of total discharge of water from the lake which may be permitted.

In faith whereof the undersigned Plenipotentiaries have signed the present Protocol and affixed thereto their respective seals.

Done in duplicate at Washington the 24th day of February, 1925.

[Seal]

ERNEST LAPOINTE.

[Seal]

CHARLES EVANS HUGHES.

At the moment of signing the Convention and Protocol between His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the United States of America regarding the regulation of the level of Lake of the Woods, the undersigned Plenipotentiaries have agreed that the Government of the Dominion of Canada and the Government of the United States shall, without delay, address to the International Joint Commission identic letters of reference relating to Rainy lake and other upper waters of the Lake of the Woods watershed as follows:—

“I have the honour to inform you that, in pursuance of Article 9 of the Treaty of the 11th January, 1909, between Great Britain and the United States, the Governments of Canada and the United States have agreed to refer to the International Joint Commission the following questions for examination and report, together with such conclusions and recommendations as may be deemed appropriate:—

"*Question 1.* In order to secure the most advantageous use of the waters of Rainy lake and of the boundary waters flowing into and from Rainy lake, for domestic and sanitary purposes, for navigation purposes, for fishing purposes, and for power, irrigation and reclamation purposes; and in order to secure the most advantageous use of the shores and harbours of both Rainy lake and the boundary waters flowing into and from the lake, is it, from an economic standpoint, now practicable and desirable, having regard for all or any of the interests affected thereby, or under what conditions will it become thus practicable and desirable—

"(a) To regulate the level of Rainy lake in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1108.61 sea-level datum?

"(b) To regulate the level of Namakan lake and the waters controlled by the dams at Kettle falls in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1120.11 sea-level datum?

"(c) To provide storage facilities upon all or any of the boundary waters above Namakan lake?

"*Question 2.* If it be found practicable and desirable thus (1) to regulate the level of Rainy lake, and/or (2) to regulate the level of Namakan lake and the waters controlled by the dams at Kettle falls, and/or (3) to provide storage facilities upon all or any of the boundary waters above Namakan lake—

"(a) What elevations are recommended?

"(b) To what extent will it be necessary to acquire lands and to construct works in order to provide for such elevations and/or storage, and what will be their respective costs?

"(c) What interests on each side of the boundary would be benefited? What would be the nature and extent of such benefit in each case? How should the cost be apportioned among the various interests so benefited?

"*Question 3.* What methods of control and operation would be feasible and advisable in order to regulate the volume, use and outflow of the waters in each case in accordance with such recommendations as may be made in answer to questions 1 and 2?

"*Question 4.* What interests on each side of the boundary are benefited by the present storage on Rainy lake and on the waters controlled by the dams at Kettle falls? What are the nature and extent of such benefits in each case? What is the cost of such storage and how should such cost be apportioned among the various interests so benefited?

"Each Government will appoint from its public service such engineering and other technical assistance as may be necessary to enable the Commission to make the desired examination and to submit their report."

In witness whereof the undersigned have signed this Agreement at Washington this 24th day of February, 1925.

ERNEST LAPOINTE.

*Minister of Justice in the Government
of the Dominion of Canada.*

CHARLES EVANS HUGHES,

*Secretary of State of the United States
of America.*

FISHERY REGULATIONS

BRITISH COLUMBIA.—*P.C. 882, 19 June, 1925.*—Ordered, that subsection (c) of section 31 of the special fishery regulations for the Province of British Columbia, which were adopted by Order in Council of March 30th, 1925, be and it is hereby amended so as to allow gill-net fishing in Bonaparte Lake in the Lillooet Kamloops district.

Canada Gazette, Vol. 59, page 241.

ONTARIO.—*P.C. 1084, 6 July, 1925.*—Ordered, that the special fishery regulations for the Province of Ontario, which were adopted by Order in Council of the 26th April, 1922, together with all amendments thereof, be and they are hereby rescinded and the attached regulations substituted in lieu thereof.

DEPARTMENT OF MARINE AND FISHERIES

SPECIAL FISHERY REGULATIONS FOR THE PROVINCE OF ONTARIO

(Adopted by Order in Council of July 6, 1925)

INTERPRETATIONS

“Angling” shall mean the taking of fish with hook and line held in the hand, or hook and line and rod, the latter held in the hand, but shall not include set lines or lines tied to a boat.

“One day” shall mean from sunrise to sunset.

“Non-resident” shall mean any person domiciled in the Province of Ontario for a period of less than twelve months.

“Snare” shall mean any instrument other than line, rod and line, night line, spear and the following forms of net, namely, seiné, pound-net, gill-net, roll-net and dip-net.

“Fishery officer” shall mean any officer having authority from the Department of Game and Fisheries of the Province of Ontario or the Dominion of Canada.

“Game fish” shall mean large and small-mouthed black bass, maskinonge, salmon, speckled trout, brown trout and rainbow trout.

“Closed season” shall mean a specified period in which fish may not legally be taken.

“Commercial fish” shall mean all fish other than game fish.

“Commercial fishing” shall mean the taking of fish for sale, other than game fish, by means of night line, spear and the following forms of nets, namely, seine, pound-net, gill-net, hoop-net, roll-net and dip-net.

“Salmon Trout” shall mean *Cristivomer namaycush*, Great Lake Trout, Gray Trout, or Mackinaw Trout.

“Salmon” shall mean *salmo salar*, steel-head, the Atlantic salmon, ouaniche or seabago salmon.

“Extension measure when in use” shall mean the distance between the extreme angles of any single mesh, and such measurements shall be taken after the twine has been saturated in water and extended until the twine is taut, without any strain whatsoever, and shall be between and inside the knots. Any dispute as to measurements shall be submitted to the Department of Game and Fisheries of the Province of Ontario, and the sole and final judge of such measurements shall be the Minister of the said Department, or any person designated by him for such purpose.

Sec. 1—Angling

In angling no one shall use more than one fishing line with not more than four hooks, but artificial baits of three small hooks in a gang shall be construed as one hook for each gang.

Sec. 2—Angler's License or Permit

(a) Non-residents of the Province shall not angle for or take any fish without first having obtained an angler's license or permit from a duly authorized officer of the Department of Game and Fisheries of the Province of Ontario.

(b) An angler's license or permit shall be non-transferable, and shall be used only by the person whose name appears thereon. Each holder of an angler's license or permit shall, when angling, have such license or permit on his or her person and exhibit same when called upon to do so by any fishery officer.

Sec. 3—Licenses and Permits

No one shall fish by means other than angling or trolling, or taking clams by any means, excepting under license or permit from a duly authorized officer of the Department of Game and Fisheries excepting the Counties of Victoria, Peterboro, Northumberland, Durham and the waters of the River Trent in any other County, residents may take coarse fish during the months of April and May, between sunrise and sunset, by means of dip-net and spear, provided that such dip-net shall not exceed six feet square or diameter and that fish so taken shall not be for sale or barter, and this shall not apply to anglers taking minnows, not protected by Regulations, for personal use for bait purposes, by means of a dip-net having a diameter of not more than fifteen inches.

Sec. 4—Bass

(a) No one shall fish, for, or take large-mouthed or small-mouthed black bass otherwise than by angling.

(b) No one shall fish for, catch or kill any large-mouthed or small-mouthed black bass from the first day of December to the fifteenth day of June following, both days inclusive, provided that the close season for black bass in the waters of the west end of Lake Erie west of a line drawn due south from Point Pelee to the international boundary, shall be from the twenty-fourth day of May to the fifteenth day of July in each year, both days inclusive, and provided further that in the waters west of the boundary line between the Districts of Algoma and Thunder Bay, the close season for black bass shall be from December first to June thirtieth following, both days inclusive.

(c) No one shall fish for, catch or kill in any of the waters of the Province in one day by angling, a greater number than eight large-mouthed or small-mouthed black bass, nor shall any one have in possession, nor take away at any time, a greater number than two days' legal catch.

(d) No small or large-mouthed black bass less than ten inches in length shall be retained or kept out of the water, or had in possession, without lawful excuse, but any one who takes or catches any such fish of less than the minimum measurement (which measurement shall be from the point of the nose to the centre of the tail) shall immediately return such fish to the water from which it was taken alive and uninjured.

(e) The sale, purchase or export of large-mouthed or small-mouthed black bass, no matter where procured, is hereby prohibited, provided, however, any non-resident angler fishing in the waters of the Province under a license or permit may, upon leaving the Province, take away the lawful catch of two days' fishing, such catch to be accompanied by the shipping coupon furnished with, and detached from his or her license or permit.

Sec. 5—Maskinonge

(a) No one shall fish for or take maskinonge otherwise than by angling.

(b) No one shall fish for, catch or kill any maskinonge from the first day of December to the fifteenth day of June following, both days inclusive.

(c) No one shall fish for, catch or kill in any of the waters of the Province in one day by angling, a greater number than four maskinonge, nor shall any one have in possession, nor take away at any one time a greater number than two days' legal catch.

(d) The sale, purchase or export of maskinonge, no matter where procured is hereby prohibited; provided, however, that any non-resident angler fishing in the waters of the Province under a license or permit may upon leaving the Province, take away the lawful catch of two days' fishing, such catch to be accompanied by the shipping coupon furnished with and detached from his or her license or permit.

Sec. 6.—Speckled Trout, Brown Trout and Rainbow Trout

(a) No one shall fish for or take speckled trout, brown trout or rainbow trout, otherwise than by angling.

(b) No one shall fish for, catch or kill any speckled trout (*salvelinus fontinalis*) or brown trout (*salmo fario*) from the fifteenth of September in each year to the thirtieth day of April next following, both days inclusive.

(c) No one shall fish for, catch or kill in any of the waters of the Province in any one day by angling, a greater number of speckled trout or brown trout than in the aggregate shall weigh more than ten pounds, and no greater number than twenty speckled trout or brown trout, though said number weigh less than ten pounds, and no one shall have in possession, nor take away at any one time, a greater number or quantity than two days' legal catch.

(d) No speckled trout or brown trout less than seven inches in length shall be retained or kept out of the water or had in possession without lawful excuse, but anyone who takes or catches any fish of less than the minimum measurement (which measurement shall be from the point of the nose to the centre of the tail) shall immediately return such fish to the water from which it was taken, alive and uninjured.

(e) No one shall fish for, catch or kill rainbow trout from the fifteenth day of September in each year to the first day of June next following, both days inclusive.

(f) No one shall fish for, catch, or kill in any waters of the Province in one day, nor shall carry away a greater number than five rainbow trout.

(g) The sale, purchase or export of speckled trout, brown trout or rainbow trout, no matter where procured, is hereby prohibited, provided, however, that any non-resident fishing in water of the Province under a license or permit, may upon leaving the province, take away the lawful catch of two days' fishing, such catch to be accompanied by the shipping coupon furnished with and detached from his or her license or permit.

Sec. 7—Salmon Trout, Limit of Catch

No one shall fish for, catch or kill in any waters of the Province in any one day, by angling, a greater number than five salmon trout, nor shall any one have in possession nor take away at any one time a greater number than two days' legal catch.

Sec. 8—Pickerel (Dore)

(a) In the waters of the Great Lakes, Georgian Bay, North Channel and connecting waters, there shall be no close season for pickerel (dore).

(b) In the other waters of the Province to the southward of but not including French River, Lake Nipissing and Mattawa River, no one shall fish for, catch or kill any pickerel (dore) from the first to the thirtieth day of April, in each year, both days inclusive, and in the other waters of the Province to the north and northwest of, and including the said French River, Lake Nipissing and Mattawa River, no one shall fish for, catch or kill any pickerel (dore) from the fifteenth day of April to the fifteenth day of May in each year, both days inclusive.

(c) No one shall fish for, catch or kill in any of the waters of the Province in one day by angling, a greater number than twelve pickerel (dore).

(d) The sale, purchase or export of any pickerel (dore) less than fifteen inches in length (which measurement shall be from the point of the nose to the centre of the posterior margin of the tail) is hereby prohibited.

Sec. 9—Whitefish and Salmon Trout

(a) In the Great Lakes, Georgian Bay, North Channel and the Bay of Quinte, there shall be no close season for whitefish or salmon trout.

(b) In all the waters of the Province, other than those specified in clause (a) of this section, no one shall fish for, catch or kill any whitefish or salmon trout from October twenty-fifth to November fifteenth in each year, both days inclusive; provided that there shall be no close season for angling.

Sec. 10—Sturgeon

No one shall fish for, catch or kill any sturgeon from June first to June thirtieth in each year, both days inclusive, in all waters other than the Great Lakes and other waters adjacent to the international boundary line.

Sec. 11—Size Limits

No one shall retain or take out of the water without lawful excuse, any species of fish named in this section, below the minimum length and weight stated herein:

Blue pickerel, less than eleven inches in length.

Yellow perch, less than nine inches in length.

White bass, less than nine inches in length.

Sheep-head, less than twelve inches in length.

Whitefish, less than two pounds in the round.

Carp from Lake Erie waters, less than three pounds in the round.

Trout, less than two pounds in the round.

Pickerel (dore) less than fifteen inches in length.

Sturgeon, less than forty-two inches in length, except in the waters of Lake St. Francis and the Ottawa River, where the minimum length shall be not less than thirty-six inches.

Ciscoes or herring, from the waters of Lake Erie and Lake Ontario, less than eight ounces.

Ciscoes or herring from other waters, less than six ounces.

For the purposes of measurement, length shall mean the measurement from the point of the nose to the centre of the tail, and anyone who catches any of the aforementioned fish of less weight or length than stated herein, shall immediately liberate them in the water, alive and uninjured. These measurements shall apply without any allowance made for shrinkage.

Anyone who catches ciscoes or herring of less than the said minimum weights shall liberate them in the water alive and uninjured, and the sorting shall be done in the water and before the said fish are removed from the fishing implement in which they may have been captured.

Sec. 12—Restriction, Bay of Quinte

No one shall fish with nets during the months of June, July and August in that portion of the waters of the Bay of Quinte lying westward of a line drawn from Green Point, in the county of Prince Edward, to the eastern limit of the Town of Deseronto, in the County of Hastings. That portion of the Bay of Quinte westward of a line drawn across the bay from Horse Point on the southern shore to the Lehigh Cement Works wharf opposite on the northern shore to the Belleville Highway Bridge, is hereby set apart and reserved for fishing for hatchery purposes.

Sec. 13—Prohibitions

(a) No one shall use artificial lights for the taking of fish by any means.

(b) No one shall set or place nets other than hoop-nets, dip-nets, minnow seines, or roll-nets, in any river, creek, or within one thousand yards of either side of the entrance thereto, provided that this prohibition shall not apply to carp and sucker fishing, nor to the waters of the Ottawa river and Lake St. Francis during such periods as the Province of Quebec grants gill-net licenses in the said river and lake.

(c) In gill-net fishing, no one shall use a net of greater depth or vertical width than one hundred meshes, and any such net that is over thirty-six meshes deep shall be known as a "Bull-net." Bull-nets shall be used only in the waters of Lake Erie and then only during such periods as any one State of the United States of America grants similar privileges for the aforesaid waters. In all other waters no one shall use a gill-net of a greater depth or vertical width than thirty-six meshes.

(d) No one, without lawful excuse, the proof whereof shall lie on him, shall fish for, buy, sell or have in his possession any fish, or portion of any fish, during a time when fishing for such fish is prohibited by law.

Sec. 14—Mesh of Nets

(a) Except as otherwise provided for in this section, the mesh of gill-nets used for the catching of herring shall not be less than three inches, extension measure when in use.

(b) The mesh of gill-nets used for the catching of herring in the waters of Lake Superior, Georgian Bay, North Channel and Lake Huron shall not be less than two and one-half inches extension measure when in use, except in waters less than eight fathoms deep, where mesh of two and one-quarter inches extension measure when in use, may be permitted, provided, however, that gill-nets having a mesh of not less than one and one-half inches or greater than two inches, extension measure when in use, may be used for the purpose of securing bait when and where such nets will not take immature fish, but it shall be unlawful to barter, sell or have in possession for such purpose any fish taken in such bait nets.

(c) On and after January first, 1926, all gill-nets used for catching herring in Lake Erie, and all such nets that will be used that are acquired by fishermen after June thirtieth, 1924, shall be what are commonly known as three-inch mesh nets, that is, nets in the meshes of which a No. 30 U.S. standard plate gauge steel rule, three and one-sixteenth inches long, as stamped and authenticated by the Department of Game and Fisheries for the Province of Ontario, can be inserted without breaking the twine, slipping a knot or bending the rule.

(d) The meshes of gill-nets that are used for catching herring in Lake Erie during the years 1924 and 1925, providing that such nets are acquired by the fishermen using them prior to July first, 1924, shall have meshes of not less than three inches stretched extension measure, that is, meshes in which a No. 30 U.S. standard plate gauge rule three inches long that has been stamped and

authenticated by The Department of Game and Fisheries for the Province of Ontario, can be inserted without breaking the twine, slipping a knot or bending the rule.

(e) The mesh of gill-nets used for the catching of whitefish or salmon trout shall not be less than four and one-half inches extension measure when in use.

(f) The mesh of hoop-nets shall not be less than two and one-half inches, extension measure when in use.

(g) The mesh of pound-nets used in all inland waters shall not be less than six inches, extension measure when in use, in the leads and hearts, and not less than four inches, extension measure when in use, in the crib or pot. This applies to all waters other than those adjacent to the international boundary line or to interprovincial waters.

(h) The mesh of gill-nets for the taking of sturgeon shall not be less than twelve inches, extension measure when in use, except in inland waters where, when circumstances may warrant, the Department of Game and Fisheries of the Province of Ontario may authorize the use of gill-nets not less than ten inches, extension measure when in use.

Sec. 15—Exception

None of the foregoing regulations shall apply to fish taken by any means under the authority given by the Department of Game and Fisheries for the Province of Ontario for the purpose of natural or artificial rearing of fish for stocking public waters.

Canada Gazette, Vol. 59, page 241.

SASKATCHEWAN, ALBERTA AND TERRITORIES.—*P.C. 1260, 29 July, 1925.*—Ordered, that section 35 of the special fishery regulations for the Provinces of Saskatchewan and Alberta and the Territories north thereof, which were adopted by Order in Council of April 26th, 1922, be and it is hereby amended by adding thereto the following subsection:

(d) No one shall in one day by angling or trolling catch or retain more than twenty-five perch.

Canada Gazette, Vol. 59, page 488.

BRITISH COLUMBIA.—*P.C. 1314, 20 August, 1925.*—Ordered, that

1. The second paragraph of subsection (a) of section 26 of the special fishery regulations for the Province of British Columbia which were adopted by Order in Council of March 30, 1925, is hereby rescinded and the following substituted in lieu thereof:

Excepting as herein otherwise provided in the waters of the mainland east of the 121st meridian and in that portion of the mainland lying north of a line running due east and west through the town of Clinton no one shall fish for, catch or kill trout of any kind from the fifteenth day of November in each year to the thirty-first day of March following, both days inclusive; provided, however, that,—

2. Section 26 of the said regulations is hereby further amended by adding thereto the following paragraph:

(8a) The closed period for all game fishing with the exception of bass in all streams of the Okanagan district, south of the main line of the Canadian Pacific Railway, shall be from March 1st to May 31st, and in the case of lakes March 1st to April 30th, in each year.

Canada Gazette, Vol. 59, page 632.

NEW BRUNSWICK—GOVERNMENT NOTICE, 19 September, 1925.—Under the provisions of section 59 of the Fisheries Act, chapter 8 of the Statutes of 1914, the Minister of Marine and Fisheries has authorized that Wheaton Lake, in Charlotte County, New Brunswick, be set apart from all fishing for a period of one year from September 15, 1925, for the natural propagation of fish.

A. JOHNSTON,

Deputy Minister of Marine and Fisheries.

Ottawa, September 19, 1925.

Canada Gazette, Vol. 59, page 814.

N.B., N.S., AND P.E.I.—*P.C. 1716, 26 September, 1925.*—Ordered, that subsection 2, of section 16, of the Special Fishery Regulations for the Province of New Brunswick, subsection 2 of section 17 of the Special Fishery Regulations for the Province of Nova Scotia and subsection 2, of section 14, of the Special Fishery Regulations for the Province of Prince Edward Island, all as adopted by Order in Council of the 26th of April, 1922, be and they are hereby rescinded and the following substituted in lieu thereof:

2. No one shall fish for, catch or kill hard shelled clams or quahaugs from the 1st of November in each year to the 10th day of May following both days inclusive, and from the 1st day of July to the 14th day of August in each year, both days inclusive.

Canada Gazette, Vol. 59, page 972.

BRITISH COLUMBIA.—*P.C. 1853, 21 October, 1925.*—Ordered, that subsection 7 of section 26 of the Special Fishery Regulations for the province of British Columbia, adopted by Order in Council of the 30th March, 1925, be and it is hereby rescinded and the following substituted in lieu thereof:

In the non-tidal waters of Vancouver Island and the islands adjacent thereto, and of those between Vancouver Island and the mainland, no one shall fish for, catch or kill trout of any kind from the 15th day of November to the last day of February, both days inclusive; provided that there shall be no close time in these waters for dolly varden trout or other char or for steel heads.

Canada Gazette, Vol. 59, p. 1151.

BRITISH COLUMBIA.—*P.C. 1781, 21 October, 1925.*—Ordered, that paragraph (c) of section 26 of the Special Fishery Regulations for the province of British Columbia, adapted by Order in Council of March 30th, 1925, be and it is hereby rescinded and the following substituted in lieu thereof:

c. (1) No trout of any kind under eight inches in length shall be taken from the water and if caught shall be immediately returned to the water alive and uninjured.

(2) No trout under three pounds in weight shall be bought, sold or exposed for sale in the province of British Columbia, nor shall any trout be bought, sold or exposed for sale in British Columbia during the close season provided therefor, provided that this section of the British Columbia Fishery Regulations shall not apply to the dolly varden variety of trout. (In handling the undersigned fish care should be taken to see that the hands are wet, otherwise the fish will probably not survive).

Canada Gazette, Vol. 59, page 1151.

MANITOBA.—*P.C. 1921, 28 October, 1925.*—Ordered, that paragraph (d) of section 22 of the special fishery regulations for the Province of Manitoba be and it is hereby rescinded, and the following substituted in lieu thereof:

(d) The mesh of pickerel gill-nets used in Lake Winnipegosis shall not be less than four and one-quarter inches, extension measure when in use, and the mesh of such gill-nets used in Waterhen Lake shall not be less than four inches, extension measure, when in use.

Canada Gazette, Vol. 59, page 1260.

U.S. FISHING VESSELS, BRITISH COLUMBIA.—*P.C. 1947, 10 November, 1925.*—Ordered, that the Minister of Marine and Fisheries be authorized to issue licenses to United States fishing vessels on the Pacific Coast of Canada, which will permit them during the ensuing calendar year (1926) to enter any port in British Columbia for the following purposes, or any of them:—

1. To purchase bait, ice, nets, lines, coal, oil, provisions and all other supplies and outfits.

2. To ship crews.

3. To land their catches without payment of duty, and,—

(a) Tranship them in bond to any port in the United States;

(b) Sell them in bond to such local dealer or dealers as may be properly authorized therefor by the Minister of Customs and Excise, which dealers shall export the same in compliance with the bonding requirements;

(c) Sell them for use in Canada on payment of the duty.

The fee on such license shall be at the rate of one dollar per vessel.

Canada Gazette, Vol. 59, page 1313.

SASKATCHEWAN, ALBERTA, AND TERRITORIES.—*P.C. 2111, 3 December, 1925.*—Ordered, that section 36 of the special fishery regulations be and it is hereby rescinded and the following substituted therefor:—

36. In angling or trolling for cutthroat, rainbow or lake trout a gang of hooks shall not be used, nor shall more than three hooks be used on any line, and such hooks shall be a sufficient distance apart to prevent a fish being hooked on more than one at the same time.

Canada Gazette, Vol. 59, page 1619.

QUEBEC.—*P.C. 2112, 3 December, 1925.*—Ordered, that subsection 8 of section 18 of the special fishery regulations for the Province of Quebec, which subsection was established by Order in Council of July 29th, 1925, be rescinded, and that the following be substituted therefor:—

8. Salmon angling shall be permissible from the first day of May to the thirty-first day of August, in each year, both days inclusive, except in the Restigouche River and also in such portions of its tributaries as are under lease to the Restigouche Salmon Club, where such fishing shall be permissible from the first day of April to the fifteenth day of August, in each year, both days inclusive.

Canada Gazette, Vol. 59, page 1620.

NEW BRUNSWICK AND QUEBEC.—*P.C. 2249, 5 January, 1926.*—Ordered, that

1. Section 17 of the special fishery regulations for the Province of New Brunswick, which were adopted by Order in Council of April 26, 1922, is hereby amended by adding thereto the following subsection:

15. The use of salmon drift-nets shall not be permissible in Bay Chaleur.

2. Section 18 of the special fishery regulations for the Province of Quebec, which were adopted by Order in Council of October 22, 1921, is hereby amended by adding thereto the following subsection:

12. The use of salmon drift-nets shall not be permissible in Bay Chaleur.

Canada Gazette, Vol. 59, page 1973.

BRITISH COLUMBIA.—*P.C. 2284, 6 January, 1926.*—Ordered, that paragraph 1 of subsection *b* of section 24 of the special fishery regulations for the Province of British Columbia, which were adopted by Order in Council of March 30, 1925, be and it is hereby rescinded and the following substituted in lieu thereof:

b (1) In Fisheries District No. 1 a gill-net or drift-net for taking salmon shall not exceed one hundred and fifty fathoms in length, and the depth or vertical breadth thereof shall not exceed sixty meshes. In Fisheries District

No. 2 such net shall not exceed two hundred fathoms in length, and the depth or vertical breadth thereof shall not exceed fifty meshes. In Fisheries District No. 3 such net shall not exceed two hundred fathoms in length and the depth or vertical breadth thereof shall not exceed sixty meshes; provided that the Minister may authorize the use of longer gill-nets or drift-nets for catching salmon on the west coast of Vancouver Island. The mesh of sockeye salmon gill-nets or drift-nets shall not be less than five and three-quarter inches, extension measure, when in use, except at Uchucklesit harbour, Clo-oose, and Nimpkish river, where the mesh of such nets shall not be less than five and one-quarter inches, extension measure, when in use. The mesh of other salmon gill-nets or drift-nets shall not be less than six and one-half inches, extension measure, when in use. In no instance shall anything be done practically to diminish the size of the mesh.

Section 26 of the aforesaid regulations is amended by adding thereto the following subsection:—

(6a) In Rosebud Lake, and in the stream flowing into and out of it, no one shall fish for, catch or kill trout of any kind from the first day of April to the thirty-first day of May, in each year, both days inclusive.

Canada Gazette, Vol. 59, page 1974.

MANITOBA.—*Government Notice, 26 January, 1926.*—Notice is hereby given that the Minister of Marine and Fisheries, acting under the authority of section 59 of the Fisheries Act, chapter 8 of the Statutes of 1914, prohibits the taking of black bass in any manner from the waters of Killarney Lake, located in sections 33 and 34, township 2, range 17, west of the 1st meridian, and sections 3, 4 and 8, township 3, range 17, west of the 1st meridian, Province of Manitoba, for a period of three years from January 1, 1926.

A. JOHNSTON,

Deputy Minister of Marine and Fisheries.

Ottawa, January 26, 1926.

Canada Gazette, Vol. 59, page 2123.

BRITISH COLUMBIA.—*P.C. 235, 22 February, 1926.*—Ordered, that the further proviso to subsection h of section 24 of the special fishery regulations for the Province of British Columbia, which were adopted by Order in Council of 30th March, 1925, be and it is hereby rescinded and the following substituted in lieu thereof:

Provided further in the Nimpkish River and Barclay Sound areas and in Nitinat Lake, Vancouver Island, sockeye salmon fishing may begin on June first in each year.

Canada Gazette, Vol. 59, page 2484.

N.S., N.B. AND P.E.I.—*P.C. 264, 22 February, 1926.*—Ordered, that the following subsection be and it is hereby added to subsection 3, section 19, of the Special Fishery Regulations for New Brunswick and Nova Scotia, and to subsection 3 of section 16 of the Special Fishery Regulations for Prince Edward Island:

Subsection 3 (a):—

The meshes of scallop rake bags shall consist of wire rings of not less than four inches in diameter.

Canada Gazette, Vol. 59, page 2554.

BRITISH COLUMBIA.—*P.C. 455, 25 March, 1926.*—Ordered, that the special fishery regulations for the Province of British Columbia, adopted by Order in Council of March 30, 1925, be amended as follows:

1. Subsection *d* of section 5 of the said regulations is hereby rescinded and the following substituted in lieu thereof:

d. In District No. 3 no one shall dig or take any little neck clams from June first to July thirty-first, in each year, both days inclusive, and no one shall dig or take any other species of clam from May first to September thirtieth, in each year, both days inclusive.

2. Paragraph 2 of subsection *a* of section 15 of the said regulations is hereby rescinded, and the following substituted in lieu thereof:

(2) No license shall be granted to any person, company or firm, unless such person is a British subject resident in the Province or is a returned soldier who has served in His Majesty's Canadian Navy or Army overseas, or is a *bona fide* settler, or to such company or firm, unless it is a Canadian company or firm or is authorized by the Provincial Government to do business in the Province.

3. Paragraph 3 of subsection *a* of section 15 of the said regulations is hereby rescinded and the following substituted in lieu thereof:

(3) No license shall be transferred except by special written permission by the Chief Inspector, or by a fishery officer authorized by the Chief Inspector to do so.

4. Section 22 of the said regulations is hereby amended by adding thereto the following subsection:

(5) Ladysmith Harbour (Oyster Bay) inside of an imaginary straight line drawn southwest magnetic from Sharp Point to a fishing boundary sign on the opposite shore, which sign shall be placed in position by a fishery officer.

5. Paragraph 3 of subsection *a* of section 26 of the said regulations is hereby rescinded and the following substituted in lieu thereof:

(3) In the Kootenay River between Grohman Creek and Castlegar the close time for all varieties of trout shall be from November fifteenth in each year to April thirtieth following, both days inclusive.

6. The first proviso of paragraph 4 of subsection *a* of section 26 of the said regulations is hereby rescinded and the following substituted in lieu thereof:

Provided that fishing for trout in Premier, Horseshoe, Smiths, Rock, and Twin Lakes, may be conducted from April fifteenth to November fourteenth in each year, both days inclusive.

7. Subsection *c* of section 26 of the said regulations is hereby rescinded and the following substituted therefor:

e. In fishing for or catching trout in the waters and tributaries thereto of Cowichan Lake, Cowichan River, Koksilah River and Chemainus River, Sproat Lake, Sproat River, Great Central Lake, Stamp River, Somass River, Capilano River and Seymour and Lynn Creeks, the use of fish roe of any kind, or of any compound of fish roe and oil or other substances is prohibited.

Canada Gazette, Vol. 59, page 2832.

NOVA SCOTIA.—*P.C. 454, 25 March, 1926.*—Ordered, that subsection 12 of section 37 of the special fishery regulations for the Province of Nova Scotia, which were adopted by Order in Council of April 26th, 1922, be and it is hereby rescinded and the following substituted in lieu thereof:—

12. Mahone Bay and Mush-a-Mush River.—In Mahone Bay no net, seine or other contrivance, except smelt nets under license, for taking fish shall be set or placed above an imaginary line from John McLean's wharf, on the west side, to Fred Burgoyne's wharf, on the east side, as far up as Kedy's Bridge, at any time of the year.

Canada Gazette, Vol. 59, page 2832.

NOVA SCOTIA.—*P.C. 609, 24 April, 1926.*—Ordered, that the special fishery regulations for the province of Nova Scotia, adopted by Order in Council of the 26th April, 1922, be amended as follows:

1. Subsection 2, paragraph (b) of clause 1 of subsection 9, and subsection 12 of section 38, of the said Regulations are hereby rescinded and the following substituted in lieu thereof:

Sec. 38—County of Queens

2. The length of the salmon nets used in the rivers of the county shall not exceed eighteen fathoms nor be of less mesh than five inches, and the limits of the rivers for all purposes of these regulations shall be understood to mean: At Liverpool, as far down the Harbour as a line drawn from Eastern Head to Moose Harbour; at Port Medway, as far down as a line drawn from Smiths Point on the western side of Port Medway Harbour to Bass Island on the eastern side; at Broad River as far down as the mouth of said river; and at Port Mouton from Busen's Point to Broad River Head—within said boundaries to be considered Port Mouton.

9. (1) Salmon net fishing in the Medway River,—During the portion of the legal net fishing season for salmon from the first day of March to the fourteenth day of June, in each year, both days inclusive, it shall be lawful under the following restrictions and conditions to fish for and catch salmon with nets in that part of the Medway River from its mouth, as defined by subsection 2, of section 38, of the Special Fishery Regulations for the province of Nova Scotia, up to the iron or highway bridge at the foot of Salter's Falls.

9. (b) Such permit shall authorize fishing on such days only of each week during the period from the first day of March to the fourteenth day of June, both days inclusive, as the Minister of Marine and Fisheries may decide.

12. In the waters of the Medway River Estuary from the mouth of the river, in the County of Queens, as defined by subsection 2, of section 38, of the Special Fishery Regulations for the Province of Nova Scotia, outwards, all salmon fishing stands, and all gill-nets, drift-nets, pound and trap-nets used for catching salmon, whether under license or not, shall be so raised or adapted as to admit of the free passage of fish through, by or out of such apparatus, or be so effectively closed as to completely obstruct and prevent the entrance of fish into such apparatus, from six p.m. of every Saturday to twelve o'clock noon of every Monday.

2. Subsection 11, of section 36, of the said Regulations, is hereby rescinded, and the following substituted in lieu thereof:—

Sec. 36—County of Lunenburg

11. In the waters of the Medway River Estuary, Lunenburg County, from the mouth of the river outwards, as defined by subsection 2, of section 38, of the Special Fishery Regulations for the Province of Nova Scotia, as amended, all salmon fishing stands, and all gill-nets, drift-nets, pound and trap-nets, used for catching salmon shall be so raised or adapted as to admit of the free passage of fish through, by or out of such apparatus, or be so effectively closed as to completely obstruct and prevent the entrance of fish into such apparatus from six p.m. of every Saturday to twelve o'clock noon of every Monday.

ONTARIO.—*P.C. 713, 8 May, 1926.*—Ordered, that special fishery regulations for the Province of Ontario, which were adopted by Order in Council of July 6, 1925, be amended as follows:

1. The second line of the second paragraph of section 11 of the said Regulations is hereby rescinded and the following substituted in lieu thereof,—

Yellow perch, less than eight inches in length.

2. The following subsection is hereby added to section 13 of the aforesaid regulations,—

(d) No one shall by means of a boat or other floating device take fish by trolling or casting in the Counties of Victoria, Peterborough and Durham and the inland waters of the County of Northumberland during the closed season for the taking of bass or maskinonge.

Canada Gazette, Vol. 59, page 3298.

N.S., N.B. AND P.E.I.—*P.C. 774, 17 May, 1926.*—Ordered, that subsections 1 and 7 of section 19 of the Special Fishery Regulations for Nova Scotia, subsections 1 and 7 of section 16 of the Special Fishery Regulations for Prince Edward Island, and subsections 1 and 7 of section 19 of the Special Fishery Regulations for New Brunswick be, and they are hereby rescinded, and the following substituted for subsection 1 in each case:

1. No one shall engage in scallop fishing nor shall any one leave any port or place in the Province to fish for scallops, either inside or outside territorial waters, except under license from the Minister of Marine and Fisheries. The fee on each such license shall be \$1.00.

Canada Gazette, Vol. 59, page 3378.

N.S., N.B., AND P.E.I.—*P.C. 799, 22 May, 1926.*—Ordered, that section 15 of the special fishery regulations for the Province of New Brunswick, which were adopted by Order in Council of April 26th, 1922; the special fishery regulations for Prince Edward Island which were adopted by Order in Council of April 26th, 1922 and the special fishery regulations for the Province of Nova Scotia which were adopted by Order in Council of April 26, 1922, be each amended by adding thereto the following:

“The introduction of non-indigenous or non-native fish into the waters of the Province except by special permission of the Minister is prohibited.”

Canada Gazette, Vol. 59, page 3552.

BRITISH COLUMBIA.—*P.C. 876, 4 June, 1926.*—Ordered, that the special fishery regulations for the Province of British Columbia, which were adopted by Order in Council of March 30, 1925, be amended as follows:—

1. Subsection *b* of section 2 of the said regulations is hereby rescinded and the following substituted in lieu thereof:

b. No one shall fish for, catch or kill in one day, by angling or trolling, or by both means, more than twenty-five cut-throat, rainbow, dolly varden, trout, salmon trout, Rocky Mountain Whitefish, Kamloops trout, or eastern brook trout, or of the different species named, than will in the aggregate amount to more than twenty-five fish, and no one shall, in any one day, take by any of the means above mentioned, more than twenty small mouth or large mouth black bass.

2. Section 4 of the said regulations is hereby amended by adding thereto the following subsection:

b. In the waters of Vancouver Island no one shall fish for, catch or kill any bass between the first day of March and the fifteenth day of July in each year, both days inclusive.

3. Subsection *g* of section 21 of the said regulations is hereby rescinded, and the following substituted in lieu thereof:

g. (1) The minimum distance seaward from the mouth of any creek or stream at which salmon fishing nets may be operated may be determined by any fishery officer, and no such equipment shall be operated above the line delimiting such distance.

(2) In instances where the distance is not fixed by a fishery officer, the minimum distance seaward from the mouth of a creek or stream at which salmon nets may be operated shall be two hundred yards, and no such nets shall be operated above such distance; provided that this regulation shall not apply to the Fraser, Nimpkish, Skeena or Naas rivers, in which salmon gill-net or drift net fishing is permitted.

4. The second paragraph of subsection *a* of section 26 of the said regulations, which paragraph was adopted by Order in Council of August 20, 1925, is hereby rescinded, and the following substituted in lieu thereof:

Excepting as herein otherwise provided, in the waters of the Mainland east of the 121st meridian and in that portion of the Mainland lying north of a line running due east and west through the town of Clinton, no one shall fish for, catch or kill trout of any kind from the fifteenth day of November in each year to the twenty-third day of May following, both days inclusive, in streams, and from the first day of March, to the thirtieth day of April, in each year, both days inclusive, in lakes, provided, however, that:

5. Subsection *d* of section 26 of the said regulations is hereby rescinded, and the following substituted in lieu thereof:

d. Except in the waters where fishing through the ice is permitted under section 31 of these regulations, fishing for trout through the ice in any of the waters of British Columbia is prohibited.

6. Subsection *h* of section 31 of the said regulations is hereby rescinded, and the following substituted in lieu thereof:

h. The use of gill-nets or drag-nets in any lake in the Fort George, Omineca, and Cariboo districts is prohibited during the months of March and April, and from the first day of July to the fifteenth day of October, both days inclusive, in each year.

Canada Gazette, Vol. 59, page 3703.

FINES AND FORFEITURES.—*P.C. 848, 2 June, 1926.*—Ordered, that the Order in Council of August 1, 1914, and the amending one of April 13, 1915, be rescinded and the proceeds of penalties, etc., be distributed in the following manner:

APPLICATIONS OF FINES AND FORFEITURES

1. When penalties are imposed and when articles are confiscated under the Fisheries Act, following complaints laid by officers whose salaries and expenses are paid by a Provincial Government, the proceeds of such penalties and of the sale of such confiscated articles shall be paid to the Government which pays the officer who is the prosecutor, on the condition that all expenses incurred in such prosecution, that are not collected from the defendants, shall be paid by such Government.

2. In all instances where penalties are imposed or articles are confiscated, following a prosecution by a fishery officer or a fishery guardian employed by the Department of Marine and Fisheries, the whole of the proceeds of such prosecution and of the sale of such confiscated articles shall be paid to the Minister of Finance through the Department of Marine and Fisheries.

3. In instances where the prosecutor is not a fishery officer or fishery guardian of the Department of Marine and Fisheries, or an officer of any Provincial Government, a moiety of the penalty levied together with the costs taxed to him in respect thereof shall be paid to him and the other moiety shall be paid to the Minister of Finance through the Department of Marine and Fisheries.

Canada Gazette, Vol. 59, page 3635.

MIGRATORY BIRD REGULATIONS

BIRD SANCTUARIES, QUEBEC.—By Order in Council of 7th September, 1925, certain areas described in the schedule thereto were created Bird Sanctuaries, to be known as Birch Islands, Betchouane and Bradore Bay Sanctuaries, respectively. They are certain small islands in the Northern part of the Gulf of St. Lawrence, situated in the County of Saguenay, in the Province of Quebec.

Canada Gazette, Vol. 59, page 762.

GAME OFFICERS, B.C.—By Order in Council of 5th January, 1926, the Game and Fishery Officers of the Province of British Columbia are appointed *ex officio* Game Officers under the Migratory Birds Convention Act.

Canada Gazette, Vol. 59, page 1898.

BIRD SANCTUARIES, TOWNSHIP OF HULL, QUEBEC.—By Order in Council of 5th January, 1926, the properties of the Country Club, the Royal Ottawa Golf Club and the Chaudiere Golf Club, and the privately owned properties adjacent thereto, were created a Bird Sanctuary. The area included is described in the schedule to the Order in Council.

Canada Gazette, Vol. 59, page 1899.

PROCLAMATIONS OF CANADA, 1925 (JULY)—1926 (JULY)

	DATE IN FORCE	CANADA GAZETTE
Acts Proclaimed—		
Bankruptcy Amendment Act, 1925.....	1 Nov., 1925..	Vol. 59, p. 1147
Canada Shipping Act.....	1 Jan., 1926..	Vol. 59, Extra, 10 Oct.
Dairy Produce Act.....	1 Feb., 1926..	Vol. 59, p. 1796
Finland Trade Agreement, 1925.....	1 Aug., 1925..	Vol. 59, p. 321
Grain Act, 1925, c. 33.....	1 Aug., 1925..	Vol. 59, p. 321
Juvenile Delinquents Act in force in Manitoba.....	12 Sept., 1925..	Vol. 59, p. 694
Juvenile Delinquents Act in force in Port Colborne, Ont.....	10 Oct., 1925..	Vol. 59, p. 968
Juvenile Delinquents Act in force in Vancouver.....	20 Feb., 1926..	Vol. 59, Extra, 20 Feb.
Prisons and Reformatories Act (Part IX amended).....	1 Feb., 1926..	Vol. 59, p. 1900
Animal Contagious Diseases, certain restricted areas in B.C.....	15 Feb., 1926..	Vol. 59, p. 2377
Animal Contagious Diseases, certain restricted areas in Manitoba.....	24 Dec., 1925..	Vol. 59, p. 1795
Animal Contagious Diseases, P.E.I. to be restricted area.....	23 Dec., 1925..	Vol. 59, p. 1795
Dominion Parks, certain areas added to.....	13 Mar., 1926..	Vol. 59, p. 2706
Election Day, 29 Oct., 1925, half-holiday.....	25 Sept., 1925..	Vol. 59, p. 967
Fire Prevention Week, 4-10 Oct., 1925.....	29 July, 1925..	Vol. 59, p. 625
Fort Beausejour Historic Park created in N.B.....	10 June, 1926..	Vol. 59, p. 3707
Parliament summoned for 7th Jan., 1926.....	30 Nov., 1925..	Vol. 59, Extra, 1 Dec.
Republic of Austria, new currency, value of schillings.....	26 Jan., 1926..	Vol. 59, p. 2167
Save The Forest Week, 18-24 April, 1926.....	20 Jan., 1926..	Vol. 59, p. 2166
Thanksgiving Day, 9 Nov., 1925.....	7 Sept., 1925..	Vol. 59, p. 755

ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
SIXTEENTH AND SEVENTEENTH YEARS OF THE REIGN OF HIS MAJESTY
KING GEORGE V

BEING THE
FIRST SESSION OF THE FIFTEENTH PARLIAMENT

Begun and holden at Ottawa, on the Seventh day of January 1926, and closed by
Dissolution on the Second day of July 1926



THE GENERAL HIS EXCELLENCY THE RIGHT HONOURABLE
JULIAN HEDWORTH GEORGE, BARON BYNG OF VIMY
GOVERNOR GENERAL

PART I
PUBLIC GENERAL ACTS

OTTAWA
PRINTED BY FREDERICK ALBERT ACLAND
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1926

16-17 GEORGE V.

CHAP. 1.

An Act for granting to His Majesty a certain sum of money for the public service of the financial year ending the 31st March, 1927.

[Assented to 7th April, 1926.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by message from His Excellency Preamble.
the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act*, Short title. No. 1, 1926.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fifteen million, nine hundred and thirty-four thousand, two hundred and ninety-one dollars and six cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-six, to the thirty-first day of March, one thousand nine hundred and twenty-seven, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-seven, as laid before the House of Commons at the present session of Parliament.

\$15,934,291.06
granted for
1926-27.

3.

Account to
be rendered
in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 2.

An Act for granting to His Majesty a certain sum of money for the public service of the financial year ending the 31st March, 1927.

[Assented to 12th May, 1926.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by message from His Excellency ^{Preamble.} the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act*, ^{Short title.} No. 2, 1926.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fifteen million, nine hundred and thirty-four thousand, two hundred and ninety-one dollars and six cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-six, to the thirty-first day of March, one thousand nine hundred and twenty-seven, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-seven, as laid before the House of Commons at the present session of Parliament.

\$15,934,291.06
granted for
1926-27.

3.

Account to
be rendered
in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 3.

An Act for granting to His Majesty a certain sum of money for the public service of the financial year ending the 31st March, 1927.

[Assented to 15th June, 1926.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by message from His Excellency Preamble.
the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act*, Short title. No. 3, 1926.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fifteen million, nine hundred and thirty-four thousand, two hundred and ninety-one dollars and six cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-six, to the thirty-first day of March, one thousand nine hundred and twenty-seven, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-seven, as laid before the House of Commons at the present session of Parliament.

\$15,934,291.06
granted for
1926-27.

3.

Account to
be rendered
in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 4.

An Act for granting to His Majesty a certain sum of money for the public service of the financial year ending the 31st March, 1927.

[Assented to 15th June, 1926.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by message from His Excellency Preamble.
the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act*, Short title.
No. 4, 1926.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole ten million, two hundred thousand dollars, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-six, to the thirty-first day of March, one thousand nine hundred and twenty-seven, not otherwise provided for, and being ten million dollars on account of the total amount to be voted by Vote No. 372 for loans to Canadian National Railway Company, and two hundred thousand dollars on account of the total amount to be voted by Vote 373 for a loan to the Canadian Government Merchant Marine, Limited, set forth in the Estimates for the fiscal year ending the thirty-first day of

\$10,200,000.00
granted for
1926-27.

9

March,

March, one thousand nine hundred and twenty-seven, as laid before the House of Commons at the present session of Parliament.

Account to
be rendered
in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 5.

An Act to amend The Canadian Red Cross Society Act.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of 1909, c. 68;
1922, c. 13.
the Senate and House of Commons of Canada, enacts
as follows:—

1. Subsection one of section five of *The Canadian Red Cross Society Act*, chapter sixty-eight of the statutes of 1909, as enacted by section two of chapter thirteen of the statutes of 1922, is amended by adding thereto the following words:—

“The Society may from time to time dispose of any such Disposal of
property.
property in such manner and upon such terms as it may
deem advisable.”

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 6.

An Act respecting the Chicoutimi Harbour Commissioners.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as "*The Chicoutimi Harbour Commissioners' Act, 1926.*" Short title.

2. The commissioners from time to time appointed in accordance with this Act shall be and are hereby incorporated under the name of the "Chicoutimi Harbour Commissioners," hereinafter called "the Corporation." Incorporation.
Name.

3. In this Act, and in any by-law or regulation made hereunder, unless the context otherwise requires,— Interpretation.

- (a) "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act; "By-law."
- (b) "commissioner" means a member of the corporation; "Commissioner."
- (c) "corporation" means the Chicoutimi Harbour Commissioners; "Corporation."
- (d) "goods" includes all personal property and moveables other than vessels; "Goods."
- (e) "minister" means the Minister of Marine and Fisheries; "Minister."
- (f) "raft" includes any raft, crib, dram, bag or boom of logs, timber or lumber of any kind, and logs, timber or lumber in boom or being towed; "Raft."
- (g) "rate" means any rate or toll leviable under or imposed by the authority of this Act; "Rate."
- (h) "the harbour" means the harbour of Chicoutimi as defined by this Act; "The harbour."
- (i) "vessel" includes every kind of ship, boat, barge, raft, dredge, elevator, scow or other floating craft. "Vessel."

Harbour
limits
defined.

4. For the purpose of this Act, the harbour of Chicoutimi shall comprise all the tidal waters of the Saguenay river above an imaginary line drawn across that river from Cape East to Fort Point and including the waters of Ha Ha Bay.

Commis-
sioners.

5. (1) The Corporation shall consist of three commissioners, who shall be appointed by the Governor in Council and who shall hold office during pleasure.

Quorum.

(2) Two commissioners shall be a quorum. If a quorum be present and act, vacancies in the Corporation shall not prevent or impair the effect of such action. It shall not be necessary for more than two commissioners to sign any debenture, bond or other security that may be issued by the commissioners.

President.

(3) The Governor in Council may from time to time appoint one of the said commissioners to be president of the Corporation.

Resignations.

(4) A commissioner may resign his office by notice in writing to the Minister.

Oath
of office.

(5) Before any commissioner enters upon the execution of his duties he shall take and subscribe the following oath:—

"I,....., make oath and say that I will truly and impartially and to the best of my skill and understanding execute the powers vested in me as a commissioner (or as president) of the Corporation of The Chicoutimi Harbour Commissioners."

The said oath shall be filed of record in the office of the Corporation.

Evidence of
presidency.

(6) A certificate under the seal of the Corporation that any person named therein is president or presiding officer, as the case may be, shall be conclusive evidence of such fact.

OFFICERS AND EMPLOYEES.

Officers, etc.

6. The Corporation may appoint a harbour master, a deputy harbour master, and such other officers, assistants, engineers, clerks and servants as it may consider necessary to carry out the objects and provisions of this Act, and may, by by-law, allow them such compensation or salaries as it considers proper; and may require them to furnish such security for the due and faithful performance of their respective duties as it thinks necessary.

Salaries.

Security.

GENERAL POWERS.

Jurisdiction.

7. The Corporation shall, for the purpose of and as provided in this Act, have jurisdiction, within the limits of the said harbour and shall, likewise, have the administration and control of the harbour and of all harbour property.

8. The Corporation may, with the approval of the Governor in Council, acquire, expropriate, sell, lease, or otherwise dispose of such real estate or personal property as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour, or for the management, development and control of the property vested in the Corporation, but all such real estate shall be acquired in the name of and vested in His Majesty; and the Corporation may, likewise, acquire, hold, possess and build such moveable property, vessels, plant and machinery as it deems necessary for the efficient discharge of the duties devolving upon it under or in pursuance of this Act, and may dispose thereof, and may register such vessels in the name of the Corporation.

Powers as to
Property
required for
harbour.

9. The Corporation may own, acquire by lease, and operate by any motive power, all kinds of tracks, appliances, apparatus, plant and machinery for the purpose of increasing the usefulness of the harbour or facilitating traffic therein.

Motive
power,
tracks,
plant, etc.

EXPROPRIATION OF LANDS.

10. Whenever the Corporation desires to acquire any lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of such lands as to the price to be paid therefor, the Corporation shall have the right to acquire such lands without the consent of the owner, and the provisions of *The Railway Act, 1919*, relating to the taking of land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation and in any such proceedings the powers of the Board of Railway Commissioners under the said Act shall be exercised by the Governor in Council.

Expropria-
tion of lands.

1919, c. 68.

BY-LAWS.

11. (1) The Corporation may, by by-laws not contrary to law or inconsistent with the provisions of this Act, make effective regulations for any of the following purposes, namely:—

By-laws.

(a) The direction, conduct and government of the Corporation, its officers and servants, and the management, control and improvement of its property, real and personal, and for the protection and care of the same in every manner deemed necessary, and all matters in relation thereto;

(b) The regulation and control of each and every matter in connection with vessels navigating the harbour and their mooring, berthing, discharging or loading, and anything incidental thereto;

- (c) The use of the harbour facilities by vessels and the agents, owners, masters or consignees of the same; and for the lease or allotment of any of the harbour property, plant or facilities;
- (d) The compensation or salaries to be paid the officers, assistants, engineers, clerks and servants appointed by the Corporation;
- (e) The regulation of the construction of wharves, piers, buildings or any other structure within the harbour, and anything incidental thereto;
- (f) The imposition and collection of rates and tolls on vessels entering, using and leaving the harbour and their cargoes; and on goods or cargo of any kind landed or shipped in the harbour; and for the use of any buildings, plant or facilities of the Corporation; and penalties for the infringement of any of the provisions of this Act or any by-law made thereunder;
- (g) The doing of anything necessary to carry out the provisions of this Act within their true intent and meaning, and for the regulation, good government and control of the harbour and harbour services under its jurisdiction;
- (h) The construction, maintenance and operation of such harbour and branch and other railway and tramway tracks as are required for the satisfactory conduct and development of the business of the harbour, or to authorize the acquisition by the Corporation of such tracks by purchase, lease or otherwise;
- (i) To authorize the Corporation to enter into an agreement with any railway company for the operation by any motive power by such company of the tracks of the Corporation so as at all times to afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company;
- (j) To authorize the Corporation making arrangements with railway companies for facilitating traffic to, from and in the harbour; for making connections within the harbour between companies' railways and those of the Corporation for the maintenance, management, control and working of tracks of the Corporation by the parties to such agreement severally, or any of them jointly, and for the using by any party to the agreement of any real or personal property of any other party thereto for the purpose of facilitating traffic to, from and in the harbour;
- (k) Prescribing the penalties that may be imposed on any person violating any by-law which the Corporation is authorized to make under this Act, but no such penalty shall exceed five hundred dollars or sixty days imprisonment, or in default of payment of a pecuniary

penalty or of the costs of conviction, imprisonment for a period of thirty days but such imprisonment not to continue after such payment is made.

(2) No by-law shall have force or effect until confirmed by the Governor in Council and published in the *Canada Gazette*, and, upon such confirmation and publication, any by-law made in accordance with this Act shall have the same force and effect as if enacted in this Act.

Force and effect of by-laws.

COLLECTION OF RATES.

12. (1) The rates on goods landed or shipped from sea-going vessels shall be paid by the consignee, shipper, owner or agent of such goods, and goods shall not be removed from any dock or wharf within the harbour until such rates are fully paid.

Payment of rates as to sea-going vessels.

(2) The rates upon the cargoes of all other vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the sum so paid, but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes if it sees fit to do so.

Rates upon cargoes of all other vessels.

13. (1) The Corporation may require the collector of customs at Chicoutimi to collect on its behalf such portions of the rates authorized by this Act to be levied in the harbour as it deems expedient to collect through him.

Collection through collectors of customs.

(2) Every collector so required to make collection on account of the Corporation shall pay over to the Corporation on the first day of each month all moneys collected for it, and shall make monthly returns in detail, specifying the date of each collection, the name and tonnage of each vessel, and the name of the commander or master thereof.

Payments and returns by collector.

BORROWING POWERS.

14. To enable it to construct, acquire, repair or improve wharves and other works and structures in the harbour, the Corporation may, after the approval by the Governor in Council, on the recommendation of the Minister, of the plans, specifications and estimates in detail for the work proposed, and the amount proposed to be borrowed, borrow money at such rates of interest, as it finds expedient, and may for the said purpose issue debentures for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the revenues or property receivable or controlled by the Corporation. Such debentures may be

Borrowing powers.

Debentures.

sold at such rates and on such terms as the Corporation, with the approval of the Governor in Council, deems advisable.

In payment
of money
borrowed.

15. (1) The principal and interest of the sums of money which may be borrowed by the Corporation under this Act, and the principal and interest of the debentures to be issued under the authority of this Act, shall be repaid out of the revenue arising out of the rates and penalties imposed by or under this Act for and on account of the harbour or out of any other revenue vested in or coming to the Corporation, and the lawful charges upon the said revenue shall be as follows, and in the following order, that is to say:—

(a) The payment of all necessary expenses incurred in the collection of the said revenue, and in the management and operation of the harbour services, and in the maintenance and ordinary repair of its works and facilities,—the expenditure of all revenue to be subject to the supervision and control of the Minister;

(b) The payment of interest on any debentures issued under the authority of this Act.

Sinking
fund.

(2) After the payment of the charges above provided for, the surplus revenue shall be applied to the establishment of a sinking fund for the repayment of the principal of any debentures issued under the authority of this Act.

ENFORCEMENT AND COLLECTION OF PENALTIES.

Recovery
of penalties.

R.S., c. 146.

16. All penalties incurred under this Act, or under any by-law made in pursuance thereof, may be recovered in a summary manner under Part XV of the *Criminal Code*.

Seizure and
detention
of vessels.

17. (1) The Corporation may in the following cases seize and detain any vessel within the limits of the province of Quebec:—

(a) Whenever any sum is due in respect of the vessel for rates or for commutation of rates and is unpaid;

(b) Whenever the master, owner or person in charge of the vessel has infringed any provision of this Act, or any by-law in force under this Act and has thereby rendered himself liable to a penalty;

(c) Whenever any injury has been done by the vessel, or by the fault or neglect of the crew when acting as the crew, or under order of their superior officers, to any property of the Corporation;

(d) Whenever any obstruction whatever has been offered or made to the operations of the Corporation by the vessel, or by the fault or neglect of the crew while acting as the crew, or under order of their superior officer.

(2) In a case coming within paragraphs (c) or (d) sub-section one of this section, the vessel may be seized and detained until the injury so done has been repaired by the master or crew or by the other persons interested, and until all damages thereby directly or indirectly caused to the Corporation (including the expense of following, searching for, discovering and seizing such vessel) have been paid to the Corporation; and for the amount of all such injury, damages, expenses and costs, the Corporation shall have a preferential lien upon the vessel and upon the proceeds thereof until security has been given to pay the amount of such damages, whether direct or indirect, and of such injury and costs as may be awarded in any suit resulting therefrom, and the owner, charterer, master or agent of such vessel shall also be liable to the Corporation for all such injury and damages.

Effects of seizure.

Lien.

(3) The Corporation shall have a special lien and privilege upon any vessel and upon the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act*) for the payment of any rates or commutation of rates or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or person in charge thereof.

Special privilege for rates and penalties.

R.S., c. 113.

(4) Such vessel may be seized and sold under any writ or warrant of execution or of distress issued by any court or by any magistrate upon the judgment or conviction at the suit of the Corporation against the master, owner or person in charge thereof.

Seizure after judgment.

(5) Such vessel may be so seized and detained, or so seized and sold while in the possession or charge of any person whatever, whether in the charge or possession or the property of the person who was proprietor when such rates or commutation thereof or penalties or pilotage dues accrued, or in the charge or possession or the property of any third person.

In whose hands seizure may be made.

(6) The rights conferred by this section shall not be exercised after one year from the period when such rates, commutation or penalties accrued and became exigible.

Prescription.

18. The Corporation may seize and detain any goods in case,—

Seizure and detention of goods.

(a) any sum is due for rates in respect of such goods, and is unpaid; or

(b) any provision of this Act or any by-law in force under this Act, has been infringed in respect of such goods, and a penalty has thereby been incurred.

19. (1) Every lawful seizure and detention made under this Act shall be at the risk, cost and charges of the owner

Seizure and detention to be at owner's charge.

of the vessel or goods seized until all sums due or penalties incurred, together with all costs and charges incurred in the seizure and detention and the costs of any conviction obtained for the infringement of any provisions of this Act or any by-law in force under this Act, have been paid in full.

May be made
with or
without
action.

(2) The seizure and detention may take place either at the commencement of any action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit or proceeding, or as incident thereto, or without the institution of any suit or proceeding whatsoever.

Order of
seizure.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the collector of customs at any port in the province of Quebec;

(d) The said order may be made on the application of the Corporation or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof, and the said constable, bailiff or other person is hereby empowered to take all necessary means and demand all necessary aid to enable him to execute the said order.

Service of
process.

20. (1) Service of any warrant, summons, writ, order, notice or other document, when personal service cannot be effected, may be made upon the owners or upon the master or other person in charge of any vessel by showing the original to and leaving a copy with any person found on board the vessel and appearing to be one of her crew.

Vessels of
H. M.
excepted.

(2) Nothing in this Act shall authorize the service of any summons or the execution of any warrant on board any vessel in His Majesty's service.

Penalties
to be paid
over.

21. (1) Every pecuniary penalty recovered for any violation of this Act or of any by-law in force under this Act shall be paid over to the Corporation by the Court or magistrate before whom the penalty has been recovered.

Application
of receipts.

(2) The Corporation shall apply all sums collected by it for rates, or received by it as such pecuniary penalties, to the payment of the charges upon its revenue.

Administra-
tion of oaths.

22. Whenever any person is required by or in pursuance of this Act or of any by-law or regulation made under this Act to take oath, any commissioner and the secretary of the Corporation, and the harbour master of the harbour may administer such oath as well as any other officer or person duly authorized to administer oaths.

23. The Corporation shall keep separate accounts of all moneys borrowed and expended by it under the authority of this Act, and of all revenue received and expended from the operation of the harbour, its services and facilities, and shall account therefor to the Minister at such periods and in such manner and form as he shall direct. Separate accounts.

24. In the case of any violation of this Act or of any by-law in force under this Act no complaint or information shall be made or laid under Part XV of the *Criminal Code* after two years from the time when the matter of complaint or information arose. Prescription of prosecutions.
R.S., c. 146.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 7.

An Act to amend The Customs Tariff, 1907.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Paragraph (1) of subsection one of section three of *The Customs Tariff, 1907*, is repealed, and the following is substituted therefor:—

“(1) The rates of customs duties, if any, set forth in column 1, ‘*British Preferential Tariff*,’ shall apply to goods the produce or manufacture of the following British countries when conveyed without transhipment from a port of any British country enjoying the benefits of the British Preferential Tariff into a sea or river port of Canada:—

- (a) the United Kingdom;
- (b) the British colony of Bermuda;
- (c) the British colonies commonly called the British West Indies, including the following,—
 - the Bahamas;
 - Jamaica;
 - Turks and Caicos Islands;
 - the Leeward Islands (Antigua, St. Christopher-Nevis, Dominica, Montserrat, and the Virgin Islands);
 - the Windward Islands (Grenada, St. Vincent and St. Lucia);
 - Barbados;
 - Trinidad and Tobago;
- (d) British Guiana;
- (e) British India;
- (f) Ceylon;
- (g) Straits Settlements;
- (h) New Zealand;
- (i) Union of South Africa;
- (j) Southern Rhodesia

1907, c. 11;
1909, c. 10;
1910, c. 16;
1911, c. 7;
1913, c. 15;
1914, c. 26;
1914 (2), c. 5;
1915, c. 3;
1916, c. 7;
1918, c. 17;
1919, c. 47;
1920, c. 44;
1921, c. 27;
1922, c. 19;
1923, c. 42;
1924, c. 38;
1925, c. 8.

British
Preferential
Tariff.

(k) any other British colony or possession admitted to the benefits of the British Preferential Tariff in Canada, in the manner hereinafter provided;

Provided, however, that goods entitled to the benefits of the British Preferential Tariff shall be accorded such benefits when such goods are shipped on a through bill of lading consigned to a consignee in a specified port in Canada when such goods are transferred at a port of a British colony or possession not enjoying the benefits of the British Preferential Tariff, and conveyed without further transshipment into a sea or river port of Canada."

Schedule A
amended.

2. Schedule A to *The Customs Tariff, 1907*, as amended by chapter fifteen of the statutes of 1913, chapter forty-seven of the statutes of 1919, chapter twenty-seven of the statutes of 1921, chapter nineteen of the statutes of 1922, chapter forty-two of the statutes of 1923 and chapter thirty-eight of the statutes of 1924, is further amended by striking thereout tariff items: 7, 20a, 22, 23, 28, 30, 32, 39b, 77a, 90, 134, 135, 438, 448, 590a, 680a, the several enumerations of goods respectively, and the several rates of duties of customs, if any, set opposite each of said items, and to provide that the following items, enumerations and rates of duty be inserted in Schedule A:—

Tariff Item		British Preferential Tariff	Inter-mediate Tariff	General Tariff
7	Meats, fresh, n.o.p., per pound.....	2 cts.	2½ cts.	3½ cts.
20a	Butter produced from the cocoa bean, per pound.....	Free	2 cts.	2 cts.
22	Preparations of cocoa or chocolate in powder form.....	22½ p.c.	27½ p.c.	35 p.c.
	or per pound	2 cts.	2½ cts.	3 cts.
	whichever rate returns the higher duty.			
23	Preparations of cocoa or chocolate, n.o.p., and confectionery, coated with or containing chocolate, the weight of the wrappings and cartons to be included in the weight for duty, per pound.....	2½ cts.	2½ cts.	2½ cts.
	and	20 p.c.	27½ p.c.	35 p.c.
28	Coffee, green, imported direct from the country of growth and production, and green coffee purchased in bond in the United Kingdom, per pound.....	Free	3 cts.	3 cts.
30	Ginger and spices, unground, n.o.p.....	Free	12½ p.c.	12½ p.c.
32	Nutmegs and mace, whole or unground.....	Free	17½ p.c.	20 p.c.
39b	Arrowroot, per pound.....	Free	1½ cts.	1½ cts.
42a	Table salt made by an admixture of other ingredients, when containing not less than ninety per cent of pure salt.....	5 p.c.	10 p.c.	15 p.c.
72b	Tree seeds for reforestation purposes only.....	Free	Free	Free
77a	Cocoa beans, not roasted, crushed or ground, per one hundred pounds.....	Free	\$1.50	\$2.00
90	Fruits, viz.:—Plantains, pineapples, pomegranates, guavas, mangoes, wild blueberries, wild strawberries and wild raspberries.....	Free	Free	Free
90b	Bananas.....	Free	Free	Free

Tariff

Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
	The Governor in Council may by Order in Council direct that there be substituted for tariff item 90b in Schedule A of The Customs Tariff, 1907, the enumerations of goods and the rates of duties of customs, if any, set opposite items 90c and 90d in Schedule A the following:—			
90c	Bananas, when imported from the place of growth by ship, direct to a Canadian port, per stem or bunch.....	Free	50 cts.	50 cts.
90d	Bananas, n.o.p., per stem or bunch.....	50 cts.	50 cts.	50 cts.
	From and after the publication of such Order in Council in the Canada Gazette, tariff item 90b as it appears in said schedule at the time of the passing of this Act shall be repealed and the provisions of tariff items 90c and 90d shall be substituted therefor.			
105a	Pineapples in air-tight cans or other air-tight packages, n.o.p., the weight of cans or other packages to be included in the weight for duty, per pound.....	$\frac{1}{2}$ ct.	2 $\frac{1}{2}$ cts.	2 $\frac{1}{2}$ cts.
134	All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, not covered by tariff item No. 135, and sugar syrups testing over fifty-six degrees of polarization, when not exceeding eighty-eight degrees of polarization, per one hundred pounds.....	83 cts.	\$1.50	\$1.50
	When exceeding eighty-eight degrees but not exceeding eighty-nine degrees, per one hundred pounds.....	85 cts.	\$1.53	\$1.53
	When exceeding eighty-nine degrees but not exceeding ninety degrees, per one hundred pounds.....	87 cts.	\$1.55	\$1.55
	When exceeding ninety degrees but not exceeding ninety-one degrees, per one hundred pounds.....	89 cts.	\$1.58	\$1.58
	When exceeding ninety-one degrees but not exceeding ninety-two degrees, per one hundred pounds.....	91 cts.	\$1.62	\$1.62
	When exceeding ninety-two degrees but not exceeding ninety-three degrees, per one hundred pounds.....	93 cts.	\$1.65	\$1.65
	When exceeding ninety-three degrees but not exceeding ninety-four degrees, per one hundred pounds.....	95 cts.	\$1.68	\$1.68
	When exceeding ninety-four degrees but not exceeding ninety-five degrees, per one hundred pounds.....	97 cts.	\$1.70	\$1.70
	When exceeding ninety-five degrees but not exceeding ninety-six degrees, per one hundred pounds.....	99 cts.	\$1.74	\$1.74
	When exceeding ninety-six degrees but not exceeding ninety-seven degrees, per one hundred pounds.....	\$1.01	\$1.77	\$1.77
	When exceeding ninety-seven degrees but not exceeding ninety-eight degrees, per one hundred pounds.....	\$1.03	\$1.80	\$1.80
	When exceeding ninety-eight degrees but not exceeding ninety-nine degrees, per one hundred pounds.....	\$1.09	\$1.89	\$1.89
	When exceeding ninety-nine degrees, per one hundred pounds.....	\$1.09	\$1.89	\$1.89
	Provided that refined sugar shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister of Customs and Excise, that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies and possessions, and not otherwise.			
	Provided further that sugar imported under this item shall not be subject to special duty in excess of three-fourths of one cent per pound.			

Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
135	Sugar above number sixteen Dutch standard in colour when imported or purchased in bond in Canada by a recognized sugar refiner, for refining purposes only, under regulations by the Minister of Customs and Excise; and sugar, n.o.p., not above number sixteen Dutch standard in colour, sugar drainings or pumpings drained in transit, melado or concentrated melado, tank bottoms, sugar concrete, and molasses testing over fifty-six degrees and not exceeding seventy-six degrees, when not exceeding seventy-six degrees of polarization, per one hundred pounds.....	20-627 cts.	70-851 cts.	70-851 cts.
	When exceeding seventy-six degrees but not exceeding seventy-seven degrees, per one hundred pounds.....	20-647 cts.	73-213 cts.	73-213 cts.
	When exceeding seventy-seven degrees but not exceeding seventy-eight degrees, per one hundred pounds.....	20-667 cts.	75-574 cts.	75-574 cts.
	When exceeding seventy-eight degrees but not exceeding seventy-nine degrees, per one hundred pounds.....	20-687 cts.	77-936 cts.	77-936 cts.
	When exceeding seventy-nine degrees but not exceeding eighty degrees, per one hundred pounds.....	20-707 cts.	80-298 cts.	80-298 cts.
	When exceeding eighty degrees but not exceeding eighty-one degrees, per one hundred pounds.....	20-727 cts.	82-659 cts.	82-659 cts.
	When exceeding eighty-one degrees but not exceeding eighty-two degrees, per one hundred pounds.....	20-747 cts.	85-021 cts.	85-021 cts.
	When exceeding eighty-two degrees but not exceeding eighty-three degrees, per one hundred pounds.....	20-767 cts.	87-383 cts.	87-383 cts.
	When exceeding eighty-three degrees but not exceeding eighty-four degrees, per one hundred pounds.....	20-857 cts.	90-040 cts.	90-040 cts.
	When exceeding eighty-four degrees but not exceeding eighty-five degrees, per one hundred pounds.....	20-947 cts.	92-697 cts.	92-697 cts.
	When exceeding eighty-five degrees but not exceeding eighty-six degrees, per one hundred pounds.....	21-036 cts.	95-353 cts.	95-353 cts.
	When exceeding eighty-six degrees but not exceeding eighty-seven degrees, per one hundred pounds.....	21-126 cts.	98-010 cts.	98-010 cts.
	When exceeding eighty-seven degrees but not exceeding eighty-eight degrees, per one hundred pounds.....	21-512 cts.	\$1-00963	\$1-00963
	When exceeding eighty-eight degrees but not exceeding eighty-nine degrees, per one hundred pounds.....	21-897 cts.	\$1-03915	\$1-03915
	When exceeding eighty-nine degrees but not exceeding ninety degrees, per one hundred pounds.....	22-872 cts.	\$1-07457	\$1-07457
	When exceeding ninety degrees but not exceeding ninety-one degrees, per one hundred pounds.....	23-848 cts.	\$1-11000	\$1-11000
	When exceeding ninety-one degrees but not exceeding ninety-two degrees, per one hundred pounds.....	24-823 cts.	\$1-14542	\$1-14542
	When exceeding ninety-two degrees but not exceeding ninety-three degrees, per one hundred pounds.....	25-799 cts.	\$1-18085	\$1-18085
	When exceeding ninety-three degrees but not exceeding ninety-four degrees, per one hundred pounds.....	26-762 cts.	\$1-21627	\$1-21627
	When exceeding ninety-four degrees but not exceeding ninety-five degrees, per one hundred pounds.....	27-737 cts.	\$1-25170	\$1-25170
	When exceeding ninety-five degrees but not exceeding ninety-six degrees, per one hundred pounds.....	28-712 cts.	\$1-28712	\$1-28712
	When exceeding ninety-six degrees but not exceeding ninety-seven degrees, per one hundred pounds.....	29-688 cts.	\$1-32255	\$1-32255

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	When exceeding ninety-seven degrees but not exceeding ninety-eight degrees, per one hundred pounds.....	30-664 cts.	\$1-35798	\$1-35798
	Over ninety-eight degrees, per one hundred pounds.....	35-606 cts.	\$1-47606	\$1-47606
	Provided that sugar imported under this item shall not be subject to special duty.			
156b	Angostura bitters, the produce or manufacture of any of the colonies enumerated in section 8A of The Customs Tariff, 1907, when conveyed without transshipment by ship direct into a sea or river port of Canada, per gallon	\$5.00	—	—
216a	Cresylic acid when imported for use only by manufacturers in the manufacture of preparations for disinfecting, dipping and spraying..	Free	Free	Free
295a	Zirconium silicate.....	Free	Free	Free
384c	Rolled sheets of iron or steel coated with tin, of a class or kind not manufactured in Canada	Free	5 p.c.	5 p.c.
438	Locomotives and motor cars for railways and tramways, and chassis, tops, wheels and bodies for same.....	22½ p.c.	30 p.c.	35 p.c.
438a	Automobiles and motor vehicles of all kinds, n.o.p.; chassis for same.....	15 p.c.	25 p.c.	27½ p.c.
438b	Automobiles for conveying passengers only, n.o.p., valued at retail, when new, with standard equipment complete at not more than twelve hundred dollars each; motor cars or motor trucks (not for railways or tramways) for carrying goods only; motor cycles; chassis for motor vehicles specified in this item.....	12½ p.c.	17½ p.c.	20 p.c.
438c	Tops, wheels, and bodies, n.o.p., for motor vehicles enumerated in tariff items 438a and 438b.....	20 p.c.	27½ p.c.	30 p.c.
438d	Horns, distributors, ammeters, instrument board lamps, oil gauges, gasoline gauges, thermostats, oil filters, carburetors, purifiers for oil, purifiers for air, clocks, monograms of metal and enamel, annular ball bearings and parts thereof, lock washers, speedometers and parts thereof, vacuum tanks, gaskets of copper and of asbestos, rims for steering wheels, welded axle housings, electric terminals other than battery terminals, and fuses, all of a class or kind not made in Canada, when imported by manufacturers of goods enumerated in tariff items 438a, 438b and 438c for use only as original equipment in the manufacture of motor vehicles enumerated in tariff items 438a and 438b.....	Free	Free	Free
448	Spraying machines, fruit or vegetable grading machines, incubators for hatching eggs, brooders for rearing young fowl, pruning hooks, pruning shears, hay loaders, potato-diggers, fodder or feed cutters, grain crushers, fanning mills, hay tedders, farm or field rollers, post hole diggers, snaths, milking machines, milking machine attachments; centrifugal machines for testing butter fat, milk or cream; pasteurizers for dairying purposes; equipment for generating electric power for farm purposes only, viz: engine, generator, storage battery and switch board; stumping machines, and other agricultural implements, n.o.p.; and complete parts of articles specified in this tariff item.....	5 p.c.	10 p.c.	10 p.c.
453f	Iron or steel castings in the rough, not further finished than with the burrs removed, when imported by manufacturers of shot guns for use only in the manufacture of such articles in their own factories, under regulations prescribed by the Minister of Customs and Excise.....	5 p.c.	7½ p.c.	10 p.c.

Tariff Item	—	British Preferential Tariff	Inter-mediate Tariff	General Tariff
460e	Belt and cap lamps and parts thereof to be used exclusively in a mine; parts of miners' safety lamps, n.o.p.....	Free	Free	Free
469b	Machinery and apparatus and parts thereof for use only in producing unrefined oil or fertilizer from shales, not to include motive power of a class or kind made in Canada.....	Free	Free	Free
502d	Gun stocks and fore-ends for shot guns, of walnut in the rough, not further manufactured than bored and channelled, when imported by manufacturers of shot guns for use only in the manufacture of shot guns in their own factories.....	10 p.c.	12½ p.c.	15 p.c.
590a	Aeroplanes and other aircraft and complete parts thereof, n.o.p., under regulations prescribed by the Minister of Customs and Excise.....	15 p.c.	25 p.c.	27½ p.c.
590c	Engines and complete parts thereof, when imported for use only in the equipment of aircraft.....	Free 15 p.c.	7½ p.c. 25 p.c.	10 p.c. 27½ p.c.
664b	On and after 1st July, 1928.....			
664b	Ethylene glycol, when imported by manufacturers of explosives, for use only in the manufacture of such articles in their own factories	Free	Free	Free
680a	Sponges of marine production.....	Free	17½ p.c.	17½ p.c.

Schedule B,
amended.

3. Schedule B to *The Customs Tariff, 1907*, as amended by chapter thirty-eight of the statutes of 1924, is further amended by striking thereout item 1031, the enumeration of goods, and the rate of drawback to the said item and to provide that the following items, enumerations and rates of drawback of customs duties be inserted in said Schedule B:—

Tariff Item	Goods	When Subject to Drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1050	Sugar.....	When used in the manufacture of loganberry wine. Provided that drawback shall not be payable in respect of any raw sugar, except raw sugar produced in a British country.....	99 p.c.
1051	Artificial silk tops and waste or artificial fibre silk tops and waste enumerated in tariff item 583A.....	When further manufactured after the 31st day of December, 1925, and prior to the 1st day of January, 1928.....	80 p.c.
1052	Artificial silk yarns or filaments enumerated in tariff item 583aa, imported prior to the first day of January, 1926.....	When further manufactured prior to the first day of January, 1927.	80 p.c.

Tariff Item	Goods	When Subject to Drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1053	Cellulose acetate in powdered form imported after the thirtieth day of April, 1927, and prior to the first day of November, 1927.....	When imported by manufacturers and further manufactured in their own factories before the first day of December, 1927.....	99 p.c.
1054	Yarns produced from cellulose acetate, dry spun, not more advanced than singles, when imported after the thirty-first day of October, 1926, and prior to the first day of August, 1927.....	When imported by manufacturers and further manufactured in their own factories before the first day of September, 1927.....	80 p.c.
1055	Materials, including all parts.....	When used in the manufacture of goods enumerated in tariff items 438a and 438b: Provided that before April 1, 1927, no drawback shall be paid under this item unless at least forty per cent of the cost of producing the finished article has been incurred in Canada; Provided that on and after April 1, 1927, no drawback shall be paid under this item unless at least fifty per cent of the cost of producing the finished article has been incurred in Canada; And provided further that no drawback under this item shall be payable more than once on any article.....	25 p.c.

4. Section one of this Act shall be deemed to have come into force on the first day of January, one thousand nine hundred and twenty-seven, and to have applied to goods imported under the provisions of the said section on and after that day. Coming into force of section one.

5. Sections two and three shall be deemed to have come into force on the sixteenth day of April, one thousand nine hundred and twenty-six, and to have applied to all goods mentioned in the said sections imported or taken out of warehouse for consumption on and after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day. Coming into force of sections two and three.

16-17 GEORGE V.

CHAP. 8.

An Act to amend The Dominion Forest Reserves and Parks Act.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1911, c. 10;
1913, c. 18;
1914, c. 32;
1916, c. 15;
1918, c. 4;
1919, cc. 17,
19;
1923, c. 13.
Schedule
amended.

1. The Schedule to *The Dominion Forest Reserves and Parks Act*, as enacted by chapter thirteen of the statutes of 1923, is amended as follows:—

(1) Paragraph one of the said Schedule is amended by striking out the words and figures “except sections 1, 12, 13, 24, 25, 36 and the east halves of sections 2, 11, 14, 23, 26 and 35,” in the nineteenth and twentieth lines of the said paragraph and inserting therefor “except sections 1, 12, 13 and 24, the east halves of sections 2 and 11, the southeast quarter of section 14, those portions of the northeast quarter of section 14 and of the east halves of sections 23, 26 and 35 lying east of the Whitemouth River, the north half, the southeast quarter and that portion of the southwest quarter of section 25 lying east of the Whitemouth River, and that portion of section 36 lying south or east of the Whitemouth River:” and by striking out the figures and words “187.75 square miles” in the last line of the said paragraph and inserting therefor the figures and words “189.30 square miles.”

(2) Paragraph three of the said Schedule is amended by inserting the figure “9” preceded and followed by a comma after the figure “2” in the twentieth line of the said paragraph.

(3) Paragraph four of the said Schedule is amended by striking out the words and figures “and sections 35 and 36” in the fifteenth line from the end of the said paragraph and inserting therefor “and sections 26, 35 and 36” and by striking out the figures and words “1,148.79 square miles”

in

in the last line of the said paragraph and inserting therefor the figures and words "1,148.29 square miles."

(4) Paragraph five of the said Schedule is amended by striking out the words and figures "the following sections in township 29, range 28: sections 10, 11, 12, 13, 14, 15, 16, 23, 24 and 25, the west half of section 2, and those parts of sections 3, 4, 8, 9, 17, 20, 26, 35 and 36 and of the north-east quarter of section 5, the east half of sections 18 and 19 lying east of the east bank of Shell River and those parts of sections 21 and 22, the south half of sections 27 and 29 and the southwest quarter of section 28 lying south of the south bank of Shell River" in the nineteenth to the twenty-seventh lines of the said paragraph and by striking out the words and figures "those parts of section 1 and of the south-east quarter of section 12, township 30, range 28, lying east of the east bank of the Shell River:" in the twenty-ninth to the thirty-second lines of the said paragraph and by striking out the figures and words "1,462.25 square miles" in the second line from the end of the said paragraph and inserting therefor the figures and words "1,426.29 square miles."

(5) Paragraph seven of the said Schedule is amended by inserting after the figures "31" in the fifth line of the said paragraph the following "except the southwest quarter of section 4; the following lands in township 36, range 32: the northwest quarter of section 13 and the northwest quarter of section 25," and by striking out the words and figures, "the following sections in township 43, range 7: sections 31, 32, 33, 34, 35 and 36, the north halves of sections 26, 27 and 30 and the northwest quarter of section 29;" in the seventeenth, eighteenth, nineteenth and twentieth lines from the end of the said paragraph, and by striking out the words and figures "those portions of sections 13, 23, 24, 26, 27 and 34 lying north of the north shore of Bjork Lake" in the ninth, tenth and eleventh lines from the end of the said paragraph and inserting therefor "the north half of legal subdivision 1, and those portions of legal subdivisions 7 and 8 of the north half of section 13 lying east of the east shore of Bjork Lake and those portions of sections 23, 24, 26, 27 and 34 lying north of the north shore of Bjork Lake," and by striking out the words and figures "all of the sections in township 44, range 3, except sections 1, 2, 3, 4, 5, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33 and 34 and that part of section 6 lying east of the east bank of the Etomami River; all of the sections in township 44, ranges 4, 5, 6, 7, 8, 9, 10 and 11;" in the third, fourth, fifth, sixth and seventh lines from the end of the said paragraph and inserting therefor "the following sections in township 44, range 3: sections 23, 24, 25, 26, 35 and 36, the northeast quarter of section 15 and that part of section 6 lying west of the west bank of the Etomami River; the following sections in township 44, range 4: sections 1, 2, 3, 4, 5, 6, 11, 12 and 13,

and those portions of sections 7, 8, 9, 10 and 25 lying south of the south bank of Red Deer River and those portions of sections 14, 15, 23 and 24 lying east of the east bank of Red Deer River; all of the sections in township 44, ranges 5 and 6; legal subdivision 7 of section 18, township 44, range 7; all of the sections in township 44, ranges 8, 9 and 10; all of the sections in township 44, range 11, except sections 6 and 7 and the west half of section 18"; and by striking out the figures and words "2,869.75 square miles" in the last line of the said paragraph and inserting therefor the figures and words "2,791.0 square miles."

(6) Paragraph eleven of the said Schedule is amended by striking out the words and figures "sections 19, 20, 21, 28, 29, 30, 31, 32, 33 and those portions of sections 22, 27 and 34 not included in the White Bear Indian Reserve No. 70," in the fifth, sixth and seventh lines of the said paragraph and inserting therefor the following: "sections 17, 19, 20, 21, 28, 29, 30, 31, 32, 33, the north half of section 16 and those portions of sections 22, 27 and 34 and of the north-west quarter of section 15 not included in the White Bear Indian Reserve No. 70," and by striking out the figures "15", in the twenty-fifth line of the said paragraph and by striking out the figures and words, "153.35 square miles" in the second line from the end of the said paragraph and inserting therefor the figures and words "154.0 square miles."

(7) Paragraph twelve of the said Schedule is amended by striking out the following in the thirty-third to the thirty-ninth lines of the said paragraph: "Also consisting of the following sections in township 45, range 3; sections 19, 20, 29, 30, 31 and 32; all of the sections in township 45, range 4, except sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13; the southwest quarter of section 16 and the southeast quarter of section 17; all of the sections in township 45, ranges 5, 6, 7, 8, 9 and 10;" and inserting therefor the following: "Also consisting of all of the sections in township 45, ranges 5 and 6; all of the sections in township 45, range 7, except sections 1, 2, 3, 4, 5 and 6 and those portions of sections 8, 9, 10, 11 and 12 and of the south half and north-east quarter of section 7 lying south of the southern boundary of the Canadian National Railway right-of-way; all of the sections in township 45, range 8; the following sections in township 45, range 9: sections 1 to 12 inclusive; the following sections in township 45, range 10: sections 1 to 12 inclusive, and sections 29, 30, 31, 32 and 33, the north halves of sections 17 and 19, the northwest quarter of section 21, and the west half of section 28;" and by striking out the figures and words "2,614.50 square miles" in the last line and the second line from the end of the said paragraph and inserting therefor the figures and words "2,535.75 square miles."

(8)

(8) Paragraph fifteen of the said Schedule is amended by striking out the figures "10" in the sixth line of the said paragraph, and by inserting after the figures "26" in the sixth line of the said paragraph the following words and figures: "The north half and the southeast quarter of Section 10" and by striking out the figures and words "66.75 square miles" in the second line from the end of said paragraph and inserting therefor the figures and words "66.50 square miles."

(9) Paragraph sixteen of the said Schedule is amended by striking out the words and figures "sections 31, 32, 33 and 34; the west half of section 35, those parts of section 30 and the northwest quarter of section 26 lying north of the north bank of the Saskatchewan River," in the nineteenth to the twenty-second lines of the said paragraph and inserting therefor the following: "sections 31, 32, 33, 34, 35 and 36, those parts of section 30 and the north halves of sections 25 and 26 lying north of the north bank of the Saskatchewan River," and by striking out the figures "33" in the twenty-eighth line of the said paragraph and by inserting after the figures "26" in the twenty-ninth line of the said paragraph the words and figures "the north half of section 33," and by striking out the words and figures "except section 1 and the east half of section 2" in the thirty-third and thirty-fourth lines of the said paragraph and by striking out the figures and words "508.0 square miles" in the last line of the said paragraph and inserting therefor the figures and words "510.75 square miles."

(10) Paragraph seventeen of the said Schedule is amended by striking out the words and figures "the north half and southeast quarter and that portion of the southwest quarter of section 10 lying east of the east bank of the Shell River" in the twenty-sixth to the twenty-eighth lines of the said paragraph and inserting therefor "the north half of section 10, that portion of the southeast quarter of section 10, lying north of the northern boundary of the right-of-way of the Canadian National Railway and that portion of the southwest quarter of section 10, lying east of the east bank of the Shell River," and by striking out the words and figure "and fractional section 3" in the twenty-sixth and twenty-seventh lines from the end of the said paragraph and by striking out the figures "14" in the fifth line from the end of the said paragraph and inserting after the figure "8" in the fourth line from the end of the said paragraph the words and figures "the south half, the northeast quarter, and legal subdivisions 11 and 12 of section 14," and by striking out the figures and words "155.59 square miles" in the last line of the said paragraph and inserting therefor the figures and words "155.28 square miles."

(11) Paragraph eighteen of the said Schedule is amended by inserting the following after the figures "18" in the

eighteenth line of the said paragraph: "and legal subdivisions 12 and 13 of section 30;" and by striking out the figures and words "161.05 square miles" in the last line of the said paragraph and inserting therefor the figures and words "160.93 square miles."

(12) Paragraph twenty-one of the said Schedule is repealed and the following is substituted therefor:—

"21. *Cypress Hills Forest Reserve No. 2* situate in the province of Saskatchewan and more particularly described as follows:—

Consisting of the following sections in township 7, range 29: sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; the following sections in township 7, range 30: sections 25, 26, 27, 34, 35 and 36, and fractional sections 28 and 33; the following sections in township 8, range 26: sections 15, 16, 17, 18, 19, 20, 21, 27, 28, 29 and 30; the following sections in township 8, range 27: sections 13, 14, 23, 24, 25 and 26; all of the sections in township 8, range 29, except sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; the following sections in township 8, range 30: sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, and fractional sections 4, 9, 16 and 21; the following sections in township 9, range 24: sections 19, 20, 21, 25, 29, 30, 31, 32, 33, 35 and 36, the north half of section 17, the northeast quarter of section 18, the north half and southeast quarter of section 22, the south half and northeast quarter of section 23, the north half of section 24, the south half and northeast quarter of section 26, the southeast quarter of section 27, the west half of section 28, and the north half and southeast quarter of section 34; the following sections in township 9, range 25: sections 6, 7, 17, 20, 21, 22 and 27, the north half of section 16, the south half and northeast quarter of section 18, the south half and northwest quarter of section 26, the south half of section 28, the southeast quarter of section 34, the west half of section 35 and legal subdivisions 1, 2, 3 and 8 of section 36; all being west of the third Meridian and containing by admeasurement 98.10 square miles, more or less."

(13) Paragraph twenty-two of the said Schedule is amended by striking out the words "northwest quarter" in the sixth line of the said paragraph and inserting therefor the words "north half"; and by striking out the words and figures "those portions of the west half of section 23 and the southwest quarter of section 26, lying west of Manito Lake," in the thirty-sixth to the thirty-eighth lines of the said paragraph; and by striking out the words and figures "that portion of the east half of section 28, that lies north of the narrow inlet formed by Manito Lake, that portion of the northwest quarter of section 28 included in Manito Lake," in the thirty-ninth to the forty-second lines of said paragraph; and by striking out the words and figures

"and the north half of section 29" in the seventh and eighth lines from the end of the said paragraph and inserting therefor "and the north half and southwest quarter of section 29"; and by striking out the figures and words "180.23 square miles" in the second line from the end of the said paragraph and inserting therefor the figures and words "180.95 square miles."

(14) Paragraph twenty-four of the said Schedule is amended by striking out the following words and figures in the seventeenth to the thirty-seventh lines from the end of the said paragraph: "Also consisting of all of the sections in townships 52, 53, 54, 55 and 56, ranges 1, 2, 3, 4, 5, 6, 7, 8 and 9, those portions of township 52, ranges 10, 11 and 12, lying in the province of Alberta; all of the sections in township 53, range 10; those portions of township 53, ranges 11 and 12, lying in the province of Alberta; all of the sections in township 54, range 10; those portions of township 54, ranges 11 and 12, lying in the province of Alberta, all of the sections in township 55, range 10, those portions of township 55, ranges 11 and 12, lying in the province of Alberta; all of the sections in township 56, range 10; those portions of township 56, ranges 11, 12 and 13, lying in the province of Alberta; sections 5 and 6, township 57, range 8, all of the sections in township 57, range 9, except sections 23, 24, 25, 26, 35 and 36; all of the sections in township 57, ranges 10 and 11; those portions of township 57, ranges 12 and 13, lying in the province of Alberta; the following sections in township 58, range 9; sections 5, 6, 7, 8, 17 and 18; all of the sections in township 58, ranges 10, 11 and 12; those portions of township 58, ranges 13 and 14, lying in the province of Alberta"; and inserting therefor the following: "Also consisting of all of the sections in townships 52, 53, 54, 55, 56, ranges 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; all of the sections in townships 52, 55 and 56, range 12; those portions of townships 53 and 54, range 12 lying in the province of Alberta; those portions of townships 52, 53, 54 and 55, range 13, lying in the province of Alberta; those portions of townships 53, 54, 55 and 56, range 14, lying in the province of Alberta; all of the sections in township 56, range 13; sections 5 and 6, township 57, range 8; all of the sections in township 57, range 9, except sections 23, 24, 25, 26, 35 and 36; all of the sections in township 57, ranges 10, 11, 12 and 13; those portions of township 57, range 14, lying in the province of Alberta; the following sections in townships 58, range 9: sections 5, 6, 7, 8, 17 and 18; all of the sections in township 58, ranges 10, 11, 12 and 13; those portions of township 58, range 14, lying in the province of Alberta"; and by striking out the figures and words "13,454 square miles" in the second line from the end of the said paragraph and inserting therefor the figures and words "13,786.0 square miles."

(15) Paragraph twenty-nine of the said Schedule is repealed and the following is substituted therefor:—

"29. *Larch Hills Forest Reserve* situate in the province of British Columbia and more particularly described as follows:—

Consisting of the following sections in township 20, range 8: sections 18, 19, 20, 29, 30, 31 and 32, the north half and southwest quarter of section 17, and those portions of sections 21 and 28 lying west of the west shore of Mara Lake; the following sections in township 20, range 9: sections 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36, legal subdivisions 4, 5, 12 and 13 of section 14, the northeast quarter of section 16 and the east halves of sections 21, 28 and 33; the following sections in township 21, range 8: sections 5, 6, 7, 8, 16, 22, the north half and southwest quarter of section 9, those portions of sections 14, 15 and 25, lying west of the west shore of Mara Lake, the northwest quarter and that portion of the south half of section 23, not included in Mara Lake, that portion of section 24 lying west of the west shore of Mara Lake except legal subdivisions 12 and 13 and that part of legal subdivision 14 lying west of the west boundary of the right of way of the Shuswap and Okanagan Railway; the north half and southwest quarter of section 26, that portion of section 36 lying west of the west shore of Mara Lake and Sicamous Narrows, those portions of sections 17, 18, 20, 21, 27, 28, 34 and 35, lying south of the south shore of Salmon Arm of Shuswap Lake; the following sections in township 21, range 9: sections 1, 2, 3, 11, 12, the east half of section 4 and those portions of the east half of section 9 and of sections 10, 13, 14, 15, 23 and 24, lying south of the south shore of Salmon Arm of Shuswap Lake; all being west of the sixth meridian and containing by admeasurement 43.12 square miles, more or less."

(16) Paragraph thirty-one of the said Schedule is amended by striking out the figure "7" in the twelfth line from the end of the said paragraph and by inserting after the figure "6" in the thirteenth line from the end of the said paragraph the following: "the south half and legal subdivisions 11 and 12 of section 7" and by striking out the figures and words "219.50 square miles" in the last line and the second line from the end of the said paragraph and inserting therefor the figures and words "219.38 square miles."

(17) Paragraph thirty-three of the said Schedule is amended by striking out the figures "19" in the seventh line from the end of the said paragraph and inserting therefor the figures "29."

(18) Paragraph thirty-four of the said Schedule is amended by striking out the words "the east half of legal subdivisions" in the sixth line of the said paragraph and
inserting

inserting therefor "the east half and legal subdivisions," and by striking out the words and figures "all of section 1 except that part included in Kamloops Indian Reserve No. 1, those parts of sections 2 and 3, and the northeast quarter of section 4 lying north of the north boundary of Kamloops Indian Reserve No. 1" in the twenty-ninth to the thirty-third lines of the said paragraph and by inserting therefor "those portions of sections 1, 2 and 3 and of the east half of section 4 which are not included in Kamloops Indian Reserve No. 1."

(19) Paragraph thirty-nine of the said Schedule is amended by striking out the word "east" in the twenty-sixth line of the said paragraph and inserting therefor the word "west" and by striking out the figures "17" in the thirty-third line of the said paragraph.

(20) The following paragraph is added to the end of the said Schedule:—

"40. *Shuswap Forest Reserve* situate in the province of British Columbia and more particularly described as follows:—

Consisting of the following sections in township 23, range 8: sections 30, 31 and 32 and those portions of sections 28, 29, 33 and 34 lying north of Shuswap Lake; the following sections in township 23, range 9: sections 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 and the north half of section 30; the following sections in township 23, range 10: sections 29, 30, 31, 32, 35 and 36, the northwest quarter of section 20, the north half of section 19, the north half of section 25, the northeast quarter of section 26, the northwest quarter of section 28, the north half and southwest quarter of section 33 and the north half of section 34; the following sections in township 23, range 11: sections 7, 8, 9, 16, 17, 18, 19, 20, 21, 25, 28, 29, 30, 31, 32, 33, 34, 35, and 36, that portion of the north half of section 4 which is not included in Indian Reserve No. 4, the north halves of sections 5 and 6; the northeast quarter of section 24 and the east half of section 26; all of the sections in township 23, range 12, except sections 4, 5, 6, 7, 8, 17 and 18, the south half and northwest quarter of section 19, and those portions of sections 9, 15, 16, 20 and 21 which are included in Indian Reserve No. 1; the following sections in township 23, range 13: section 36, the north half of section 25 and those portions of section 35 and of the north half of section 26 lying east of the east shore of Adams Lake; all of the sections and fractional sections in township 24, range 8, lying west of the west shore of Seymour Arm of Shuswap Lake; all of the sections in township 24, ranges 9, 10, 11 and 12; the following sections in township 24, range 13: sections 1, 12 and 13 and those portions of sections 2, 11 and 14 lying east of the east shore of Adams Lake; all of

the

the sections and fractional sections included in the Railway Belt and lying west of the west shore of Seymour Arm of Shuswap Lake in township 25, range 8, except the northeast quarter of section 34; all of the sections in township 25, ranges 9, 10 and 11 which are included in the Railway Belt; the following sections in township 25, range 12: sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12 and that portion of section 7 lying east of the east shore of Adams Lake; that portion of the east halves of sections 1 and 12, township 25, range 13, lying east of the east shore of Adams Lake; all being west of the sixth meridian and containing by admeasurement 326.0 square miles, more or less.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 9.

An Act to amend the Excise Act.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S. c. 51;
1922, c. 27.

1. Section sixty-eight of the *Excise Act*, chapter fifty-one of the Revised Statutes of Canada, 1906, is amended by adding thereto the following subsection:—

“(2) Tobacco and cigars may be removed from an Excise warehouse to a Customs bonded warehouse, without payment of duty, when for delivery only as ships’ stores, and under such restrictions and regulations as the Governor in Council deems necessary.”

Removal of
tobacco, etc.,
from an
Excise
warehouse to
Customs
bonded
warehouse.

2. Paragraph (f) of subsection one of section two hundred and seventy-nine of the said Act, as enacted by chapter twenty-seven of the statutes of 1922, is hereby repealed.

Excise duty
on cigars in
packages of
less than 10.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the
King's Most Excellent Majesty.

16-17 GEORGE V.

CHAP. 10.

An Act to amend The Income War Tax Act, 1917.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1917, c. 28;
1918, c. 25;
1919, c. 55;
1920, c. 49;
1921, c. 33;
1922, c. 25;
1923, c. 52;
1924, c. 46;
1925, c. 46;

1. Section two of *The Income War Tax Act, 1917*, is amended by adding thereto the following paragraphs:—

“(m) ‘gross revenue’ (where a personal corporation has revenue from more than one source) means the sum of the net profits from each source.”

Gross revenue.

“(n) ‘householder’ means,

Householder.

(i) an individual who at his own and sole expense maintains a self-contained domestic establishment employing therein on full time a housekeeper or servant; or,

(ii) an individual who maintains a self-contained domestic establishment and who actually supports and maintains therein one or more individuals connected with him by blood relationship, marriage or adoption.

“(o) ‘self-contained domestic establishment’ means a dwelling house, apartment or other similar place of residence, containing at least two bedrooms, in which residence amongst other things the taxpayer as a general rule sleeps and has his meals prepared and served.”

Self-contained domestic establishment.

2. Paragraph (d) of subsection one of section three of the said Act shall not apply to the dividend income of the taxpayer for the year 1925 and each year thereafter.

Dividends to individuals to be liable to tax.

3. Section three of the said Act is amended by adding thereto the following subsections:—

“(10) (a) For the purposes of this Act a ‘personal corporation’ means a corporation or joint stock company (no matter when or where created) controlled directly or indirectly by one person, who resides in Canada, or by one such

Personal corporations.

person and his wife or any member of his family, or by any combination of them, or by any other person or corporation on his or their behalf, whether through holding a majority of the stock of such corporation, or in any other manner whatsoever, the gross revenue of which is to the extent of one quarter or more derived from one or more of the following sources, namely:—

from the ownership of or the trading or dealing in bonds, stocks or shares, debentures, mortgages, hypothecs, bills, notes or other similar property, or from the lending of money with or without security, or by way of rent, annuity, royalty, interest or dividend, or from or by virtue of any right, title or interest in or to any estate or trust.

Income of
personal
corporation
distributed.

“(b) The income of a personal corporation, in lieu of being assessed the tax prescribed by subsection two of section four of this Act, shall on the last day of each year be deemed to be distributed as a dividend to the shareholders thereof and shall in their hands constitute taxable income for each year in the proportion hereinafter mentioned, whether actually distributed by way of dividend or not.

Shareholder's
taxable
portion.

“(c) Each shareholder's taxable portion of the income of the corporation, deemed to be distributed to him as above provided for, shall be such percentage of the income of the corporation, as the value of all property transferred or loaned by such shareholder or his predecessor in title to the corporation is of the total value of all property of the corporation acquired from the shareholders.

Valuation
of property
transferred.

“(d) The value of the property transferred by each shareholder or his predecessor in title shall be the fair value as at the date of the transfer of such property to the corporation, and the total value of the property of the corporation acquired from its shareholders shall, for the purpose of determining the percentage referred to in the last preceding paragraph, be taken as at the date of acquisition thereof by the corporation. In ascertaining values under this subsection, regard shall be had to all the facts and circumstances, and the decision of the Minister in that respect shall be final and conclusive.

One personal
corporation
succeeding
another.

“(e) Where one personal corporation, at any time heretofore, has been or is succeeded by, or has transferred or transfers its property to another personal corporation, the shareholders of the first corporation shall be deemed to have transferred to the second or succeeding corporation the property which they transferred to the corporation first mentioned and where any person has acquired or acquires the control of a personal corporation he shall be deemed to have transferred to such corporation the property transferred thereto by his vendor.

“(f)

“(f) This subsection shall be applicable to income of the year 1925 and fiscal periods ending therein and to each year or period thereafter. Where the fiscal period does not coincide with the calendar year, the income shall be deemed to be distributed as a dividend on the last day of the fiscal period.

“(g) Dividends actually declared by a personal corporation after the thirty-first day of December, 1924, shall be deemed to be paid out of income earned after said thirty-first day of December, 1924, so far as the same is available and to that extent shall not be liable to further taxation in the hands of the shareholders. Personal corporation dividends.

“(11) The carrying charges or expenses of unproductive property or assets not acquired for the purposes of a trade, business or calling or of a liability not incurred in connection with a trade, business or calling shall not be allowed as a deduction in determining income for the year 1925 and each year thereafter. Carrying charges.

“(12) (a) An incorporated company shall not be subject to a tax in respect of dividends paid to it by a company incorporated in Canada the profits of which have been taxed under this Act. Dividends of other corporations received by a corporation.

“(b) An incorporated company shall be exempt from taxation in respect of dividends received from a company incorporated outside of Canada to the extent that the latter corporation has earned income within Canada and actually paid a tax in respect of such income under this Act.

“(c) In computing the proportion or fractional part of such dividend free from taxation in the hands of a recipient corporation, as provided by paragraph (b) of this subsection, the Minister's determination shall be final and conclusive.”

4. (1) Subsection one of section four of the said Act is amended by striking out all the words therein contained following upon the word “non-resident” at the end of paragraph (v) and substituting in lieu thereof the following: “the following taxes upon the amount of income in excess of the exemptions hereinafter provided,— Rates of tax.

on the first \$2,000 or any portion thereof,		2 per centum;
on the amount in excess of \$ 2,000 but not in excess of \$ 3,000,	3,000,	3 per centum;
on the amount in excess of \$ 3,000 but not in excess of \$ 4,000,	4,000,	4 per centum;
on the amount in excess of \$ 4,000 but not in excess of \$ 5,000,	5,000,	5 per centum;
on the amount in excess of \$ 5,000 but not in excess of \$ 6,000,	6,000,	6 per centum;
on the amount in excess of \$ 6,000 but not in excess of \$ 7,000,	7,000,	7 per centum;
on the amount in excess of \$ 7,000 but not in excess of \$ 8,000,	8,000,	8 per centum;
on the amount in excess of \$ 8,000 but not in excess of \$ 9,000,	9,000,	9 per centum;
on the amount in excess of \$ 9,000 but not in excess of \$ 10,000,	10,000,	10 per centum;
on the amount in excess of \$ 10,000 but not in excess of \$ 11,000,	11,000,	11 per centum;
on the amount in excess of \$ 11,000 but not in excess of \$ 12,000,	12,000,	12 per centum;
on the amount in excess of \$ 12,000 but not in excess of \$ 13,000,	13,000,	13 per centum;
on the amount in excess of \$ 13,000 but not in excess of \$ 14,000,	14,000,	14 per centum;
on the amount in excess of \$ 14,000 but not in excess of \$ 15,000,	15,000,	15 per centum;
on the amount in excess of \$ 15,000 but not in excess of \$ 16,000,	16,000,	16 per centum;
on the amount in excess of \$ 16,000 but not in excess of \$ 17,000,	17,000,	17 per centum;
on the amount in excess of \$ 17,000 but not in excess of \$ 18,000,	18,000,	18 per centum;
on the amount in excess of \$ 18,000 but not in excess of \$ 19,000,	19,000,	19 per centum;

on the amount in excess of \$ 19,000 but not in excess of \$ 20,000,	20 per centum;
on the amount in excess of \$ 20,000 but not in excess of \$ 25,000,	21 per centum;
on the amount in excess of \$ 25,000 but not in excess of \$ 30,000,	22 per centum;
on the amount in excess of \$ 30,000 but not in excess of \$ 35,000,	23 per centum;
on the amount in excess of \$ 35,000 but not in excess of \$ 40,000,	24 per centum;
on the amount in excess of \$ 40,000 but not in excess of \$ 45,000,	25 per centum;
on the amount in excess of \$ 45,000 but not in excess of \$ 50,000,	26 per centum;
on the amount in excess of \$ 50,000 but not in excess of \$ 55,000,	27 per centum;
on the amount in excess of \$ 55,000 but not in excess of \$ 60,000,	28 per centum;
on the amount in excess of \$ 60,000 but not in excess of \$ 65,000,	29 per centum;
on the amount in excess of \$ 65,000 but not in excess of \$ 70,000,	30 per centum;
on the amount in excess of \$ 70,000 but not in excess of \$ 75,000,	31 per centum;
on the amount in excess of \$ 75,000 but not in excess of \$ 80,000,	32 per centum;
on the amount in excess of \$ 80,000 but not in excess of \$ 85,000,	33 per centum;
on the amount in excess of \$ 85,000 but not in excess of \$ 90,000,	34 per centum;
on the amount in excess of \$ 90,000 but not in excess of \$ 95,000,	35 per centum;
on the amount in excess of \$ 95,000 but not in excess of \$100,000,	36 per centum;
on the amount in excess of \$100,000 but not in excess of \$110,000,	37 per centum;
on the amount in excess of \$110,000 but not in excess of \$120,000,	38 per centum;
on the amount in excess of \$120,000 but not in excess of \$130,000,	39 per centum;
on the amount in excess of \$130,000 but not in excess of \$140,000,	40 per centum;
on the amount in excess of \$140,000 but not in excess of \$150,000,	41 per centum;
on the amount in excess of \$150,000 but not in excess of \$175,000,	42 per centum;
on the amount in excess of \$175,000 but not in excess of \$200,000,	43 per centum;
on the amount in excess of \$200,000 but not in excess of \$250,000,	44 per centum;
on the amount in excess of \$250,000 but not in excess of \$300,000,	45 per centum;
on the amount in excess of \$300,000 but not in excess of \$350,000,	46 per centum;
on the amount in excess of \$350,000 but not in excess of \$400,000,	47 per centum;
on the amount in excess of \$400,000 but not in excess of \$450,000,	48 per centum;
on the amount in excess of \$450,000 but not in excess of \$500,000,	49 per centum;
and	
on the amount in excess of \$500,000,	50 per centum.

The rates set forth in this subsection shall not apply to corporations or joint stock companies.

“(1A) Taxpayers shall be entitled to the following exemptions—

Statutory
exemptions.

“(a) Three thousand dollars in the case of a married person or householder or any other person who has dependent upon him any of the following persons:—

(i) a parent or grandparent;

(ii) a daughter or sister;

(iii) A son or brother under twenty-one years of age or incapable of self-support on account of mental or physical infirmity,

“(b) fifteen hundred dollars in the case of other persons, and

“(c) five hundred dollars for each child under eighteen years of age who is dependent upon the taxpayer for support.

Incomes of
husband
and wife.

“(1B) Where a husband and wife have each a separate income in excess of fifteen hundred dollars, each shall receive an exemption of fifteen hundred dollars in lieu of the exemption set forth in paragraph (a) of the immediately preceding subsection.

“(1c) The exemption for each dependent child may be taken by either parent under arrangement between themselves. In the event of any dispute arising between them, then the said exemption or exemptions shall be allotted to the father of the said child or children.”

(2) Paragraph (i) of section two of the said Act is hereby repealed.

5. Subsection two of section four of the said Act is amended by striking out the word "ten" in the second line thereof and substituting therefor the word "nine."

Corporation tax.

6. Subsection (2a) of section four of the said Act shall not apply to any tax payable in respect of the income for the year 1925 and each year thereafter.

Five per cent additional tax repealed.

7. Subsection four of section four of the said Act is hereby repealed and the following substituted therefor:—

"(4) For the purposes of this Act,—

(a) Where a person transfers property to his children such person shall nevertheless be liable to be taxed on the income derived from such property or from property substituted therefor as if such transfer had not been made, unless the Minister is satisfied that such transfer was not made for the purpose of evading the taxes imposed under this Act.

Transfer of property.

(b) Where a husband transfers property to his wife, or *vice versa*, the husband or the wife, as the case may be, shall nevertheless be liable to be taxed on the income derived from such property or from property substituted therefor as if such transfer had not been made."

8. Section four of the said Act is amended by adding thereto the following subsections:—

"(7) (a) For the purposes of this subsection a 'family corporation' means a corporation (other than a 'personal corporation') seventy-five per centum of the stock of which is owned by the members of one family, one or more of which members take an active part in the business operations of the corporation, or a corporation (other than a 'personal corporation') eighty per centum of the stock of which is owned by persons actively employed in the business of the corporation or by such persons and their families.

Family corporations.

"(b) The shareholders of a family corporation may elect that, in lieu of the corporation being assessed as a corporation, the income of the corporation be dealt with under this Act as if such corporation were a partnership. Each shareholder shall then be deemed to be a partner and shall be taxable in respect of the income of the corporation according to his interest as a shareholder. In order that the provisions of this paragraph shall be applicable to any corporation and the shareholders thereof, a notice in writing of the election of the shareholders to have the same applied shall be mailed to the Minister by registered post by the secretary or other

duly

duly authorized officer of the corporation and such notice shall have attached thereto a duly certified copy of a resolution of the shareholders electing that the provision apply.

“(c) Dividends of a family corporation shall be subject to taxation only to the extent that the dividends are in excess of the amount of the income of the corporation which, following upon election, has been taxed under the provisions of this subsection.

“(d) The decision of the Minister upon any question arising under this subsection, including any question as to the application of the term ‘family,’ shall be final and conclusive.

Irregular or
unlawful
distributions
to share-
holders
taxable.

“(8) For the purposes of this Act, any loan or advance to, or appropriation of the funds of the corporation by, a shareholder of a corporation other than a loan or advance incidental to the business of the corporation shall be deemed to be a dividend to the extent that such corporation has on hand undistributed income and such dividend shall be deemed to be income received by such shareholder in the year in which made. This subsection shall not apply to a loan or advance made by a corporation lawfully empowered to make loans to its shareholders.”

Capital Stock
reductions.

“(9) Where a corporation having undistributed income on hand reduces or redeems any class of the capital stock or share thereof, the amount received by any shareholder by virtue of the reduction shall, to the extent to which such shareholder would be entitled to participate in such undistributed income on a total distribution thereof at the time of such reduction, be deemed to be a dividend and to be income received by such shareholder.

“The provisions of this subsection shall not apply to any class of stock which, by the instrument authorizing the issue of such class, is not entitled on being reduced or redeemed to participate in the assets of the corporation beyond the amount paid up thereon plus any fixed premium and a defined rate of dividend nor to a reduction of capital effected before the 16th day of April, 1926.

Premiums
taxable.

“(10) Where a corporation, having undistributed income on hand, redeems its shares at a premium paid out of such income, the premium shall be deemed to be a dividend and to be income received by the shareholder.

Indirect
distribution
of surplus.

“(11) Where a person or persons owning shares of a corporation transfers such shares or a portion thereof to a second corporation acting as his or their agent, trustee or attorney or promoted at his or their instance or controlled by him or them, which second corporation subsequently receives a dividend from the first mentioned corporation and applies the income thus received, in whole or in part, directly or indirectly

“(a)

“(a) in payment of the shares purchased by the second corporation from such person or persons; or,

“(b) in the discharge of any liability incurred to such person or persons by reason of and in connection with the purchase of such shares; or,

“(c) in the discharge of a loan obtained by the second corporation for the purpose of paying for such shares, then such person or persons shall be taxable in respect of such dividend as if he or they had received it in the year that the first mentioned corporation declared the dividend.

“(12) When, as a result of the reorganization of a corporation or the readjustment of its capital stock, the whole or any part of its undistributed income is capitalized, the amount capitalized shall be deemed to be distributed as a dividend during the year in which the reorganization or readjustment takes place and the shareholders of the said corporation shall be deemed to receive such dividend in proportion to their interest in the capital stock of the corporation or in the class of capital stock affected.”

Corporate surplus taxable to shareholder on capitalization.

9. For the purposes of subsection nine of section three as enacted by chapter forty-six of the statutes of 1924 and of subsections eight, nine, ten and twelve of section four as enacted by section eight of this Act, the undistributed income of a corporation shall be deemed to be reduced by the amount deemed to be received by the shareholders as a dividend by virtue of the provisions of the said subsections eight, nine, ten and twelve of section four.

Undistributed income deemed to be reduced.

10. Section five of the said Act is amended by adding thereto the following paragraph:—

“(m) the income of a non-resident person or a non-resident corporation which consists exclusively of earnings derived from the operation of a ship or ships registered under the laws of a foreign country which grants an equivalent exemption to residents of Canada and to corporations organized in Canada.”

Foreign shipping companies.

11. Subsection one of section nine of the said Act is amended by inserting after the phrase “to a penalty of” the phrase “not less than”.

Minimum penalty.

12. (1) Section one, the subsection numbered twelve in section three and sections four, five, seven, eight (except the subsection numbered nine therein which shall take effect from the said sixteenth day of April, 1926) nine and ten of this Act shall apply to the year 1925 or fiscal periods ending therein and to all subsequent years or fiscal periods, and to the income thereof.

16-17 GEORGE V.

CHAP. 11.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1909, c. 23;
1916, c. 3;
1917, c. 3;
1919, c. 67;
1922, c. 30;
1924, c. 56;
1925, c. 16.

1. This Act may be cited as *The Loan Act, 1926*.

Short title.

2. The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament by any Act heretofore passed, raise by way of loan, under the provisions of the *Consolidated Revenue and Audit Act*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money as may be required, not to exceed in the whole the sum of One hundred and fifty million dollars, for paying or redeeming or otherwise retiring the whole or any portion of loans or obligations of Canada and for public works and general purposes.

Loan
authorized.

3. The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Charge
upon
Consolidated
Revenue
Fund.

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16-17 GEORGE V.

CHAP. 12.

An Act to amend The Opium and Narcotic Drug Act, 1923.

[Assented to 15th June, 1926.]

HIS Majesty by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

1. Section five of *The Opium and Narcotic Drug Act*, 1923, c. 22, 1923, as amended by chapter twenty of the statutes of 1925, is repealed, and the following is substituted therefor:—

“5. Every person licensed under this Act to deal in any drug, who gives, sells or furnishes any drug to any person, other than a duly authorized and practising physician, veterinary surgeon or dentist, or to a *bona fide* wholesale druggist, or to a druggist carrying on a business in a *bona fide* drug store, or who gives, sells or furnishes any drug to any such physician, veterinary surgeon, dentist or druggist, without a written order therefor, signed and dated; and any druggist who gives, sells or furnishes any drug to any person, except upon a written order or prescription signed and dated by a duly authorized and practising physician, veterinary surgeon or dentist whose signature is known to the said druggist or if unknown duly verified before such order or prescription is filled, or who uses any prescription to sell any drug on more than one occasion, except where the preparation covered by the prescription might lawfully have been sold in the first instance without a written order or prescription, under the provisions of section nine of this Act, shall be guilty of a criminal offence, and shall be liable upon summary conviction to a fine not exceeding one thousand dollars and costs and not less than two hundred dollars and costs, or to imprisonment for a term not exceeding eighteen months, or to both fine and imprisonment. (1911, c. 17, s. 5, ss. (1), am. 1920, c. 31, s. 1, ss. (1), and 1921, c. 42, s. 1 (a), 1922, c. 36, s. 1 (1).)”

1923, c. 22;
1925, c. 20.

Persons to
whom drugs
may be sold.

A written
order
required in
all cases.

Unlawful to
refill
narcotic
prescription
except where
preparation
lawful in the
first instance.

Persons who may manufacture without license, or have drugs in their possession.

2. Section seven of the said Act is amended by striking out the words "paragraph (d)" where they appear in the first line thereof and substituting therefor the words "paragraphs (d) and (f)."

Lawful possession. Certain preparations may be manufactured.

3. Section nine of the said Act, as amended by chapter twenty of the statutes of 1925, is further amended by striking out from the first line thereof the word "and" and by inserting immediately after the word "(e)" in the said line the words "and (f)."

Convictions, etc., re manufacture, etc., without license.

4. Section twenty-four of the said Act is amended by striking out from the sixth line thereof the word "and" and by inserting immediately after the word "(e)" in the said line the words "and (f)."

Alien convicted of unlawful possession or manufacturing without license, subject to deportation. Identification of Criminals Act to apply summary conviction, manufacturing without a license and unlawful possession.

5. Section twenty-five of the said Act is amended by striking out from the fourth line thereof the word "or" and by inserting immediately after the word "(e)" in the said line the words "or (f)."

6. Section twenty-six of the said Act is amended by striking out from the fifth line thereof the word "or" and by inserting immediately after the word "(e)" in the said line the words "or (f)."

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16-17 GEORGE V.

CHAP. 13.

An Act to provide for changing the names of certain Pension Fund Societies.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The *Pension Fund Societies Act*, chapter one hundred and twenty-three of *The Revised Statutes of Canada, 1906*, is hereby amended by inserting therein immediately after section 5 the following as section 5A:—

“5A. (1) The corporate name of a pension fund society formed under the provisions of this Act may be changed—

Change of name.

“(a) if at a special general meeting called for that purpose, or at any general meeting the notice for which specifically mentions that purpose among others, a by-law or a resolution to change the corporate name to some other name specified in the by-law or resolution has been passed by a majority of at least two-thirds of the votes cast at the meeting by the contributories to the funds or members of the Society, including the parent corporation; and

By-law or resolution to effect change.

“(b) if upon application by the board of directors of the Society to the Secretary of State of Canada and the fying with him of a duly certified copy of the resolution so passed and of such other information as he may require, he is satisfied that—

Approval by Secretary of State.

- (i) the change of name is not proposed for any improper purpose; and
- (ii) that the new name proposed is not that of any other known corporation, association or body corporate or unincorporated, or liable to be founded therewith; and
- (iii) that the proposed change is not otherwise objectionable.

“(2)

Power of
Secretary of
State to alter
proposed
name.
Notice.

“(2) If the proposed new name appears to the Secretary of State of Canada to be objectionable he may substitute therefor some other name approved by him.

“(3) When the Secretary of State of Canada has approved of a change of name he may direct that notice thereof shall be published in *The Canada Gazette* for four consecutive weeks, at the society's expense, specifying—

(a) the corporate name of the society, its chief place of business, and the name of its secretary;

(b) the new name as approved by the Secretary of State of Canada;

(c) the date after such publication of notice on which the change of name will take effect.

Date of
effect.

“(4) Upon and after the date so specified the new name as approved by the Secretary of State shall be the corporate name of the society.”

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16-17 GEORGE V.

CHAP. 14.

An Act to amend The Railway Act, 1919.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the ^{1919, c. 68.} Senate and House of Commons of Canada, enacts as follows:—

1. Subsection two of section two hundred and sixty-two of *The Railway Act, 1919*, as enacted by chapter sixty-eight of the statutes of 1919, is repealed and the following is substituted therefor:—

“(2) The total amount of money to be apportioned, and directed and ordered by the Board to be payable from any such annual appropriation shall not, in the case of any one crossing, exceed forty per cent of the cost of the actual construction work in providing such protection, safety and convenience, and shall not, in any such case, exceed the sum of twenty-five thousand dollars, and no such money shall in any one year be applied to more than six crossings on any one railway in any one municipality or more than once in any one year to any one crossing.”

Apportion-
ment of
money of
Railway
Grade
Crossing
Fund.

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16-17 GEORGE V.

CHAP. 15.

An Act to amend The Railway Belt Water Act.

[Assented to 15th June, 1926.]

HIS MAJESTY, by and with the advice and consent of ^{1912, c. 47;}
the Senate and House of Commons of Canada, enacts ^{1913, c. 45.}
as follows:—

1. This Act may be cited as *The Railway Belt Water Act*, 1926. Short title.

2. Paragraph (f) of section two of *The Railway Belt Water Act*, chapter forty-seven of the statutes of 1912, as enacted by section three of chapter forty-five of the statutes of 1913, is repealed and the following is substituted therefor:— Definitions.

“(f) ‘Water Acts’ means and includes the *Water Act*, of British Columbia, chapter two hundred and seventy-one of the Revised Statutes of British Columbia, 1924, the Act in amendment thereof enacted the nineteenth day of December, nineteen hundred and twenty-five, being chapter sixty-one of the statutes of British Columbia, 1925, and any Act passed by the legislature of the province of British Columbia which, under the provisions of section six of this Act, is made to apply to the water in the Railway Belt.” “Water Acts.”
B.C. Acts:
R.S. 1924,
c. 271;
1925, c. 61.

3. Paragraph (a) of subsection two of section five of the said Act, as enacted by section four of chapter forty-five of the statutes of 1913, is repealed, and the following is substituted therefor:—

“(a) All water without distinction within the Railway Belt shall, during the pleasure of the Governor in Council, for the purposes of administration be under the control of the authorities of the Province of British Columbia and be administered under and in accordance with the Water Acts, as if the said Acts were enacted by the Parliament of Canada subject to the provisions of this Act, and the officers and Administra-
tion
under B.C.
Water Acts.

59 authorities

authorities having powers and duties to exercise and perform under the provisions of the Water Acts shall have the like powers and authority with respect to or in connection with the administration of the said water, and"

4. Subsection two of section six of the said Act, as enacted by section four of chapter forty-five of the statutes of 1913, is repealed and the following is substituted therefor:—

Commence-
ment and
publication
of orders
in council.

"(2). Every order in council passed under the authority of this section shall be deemed to relate back to and to take effect from the date of the coming into operation of the Act, or the portion of an Act, the application of which to the water in the Railway Belt is directed by the order in council. Every such order in council shall be published for four consecutive weeks in the *Canada Gazette*, and shall be laid before both Houses of Parliament within the first fifteen days of the session next after the date thereof."

Publication.

5. The said Act is amended by adding thereto the three following sections:—

Validation
of adminis-
tration under
B.C. Water
Acts.

"10. All licenses, orders, authorizations, and certificates heretofore issued and all acts heretofore done and all proceedings heretofore taken for the purpose of administration of any water within the Railway Belt, by the Board or by an officer or authority having powers and duties to exercise and perform under the provisions of the Acts of the Province of British Columbia from time to time in force with respect to water in British Columbia, and all applications heretofore made to the Board or to any such officer or authority with respect to the acquisition or use of water within the Railway Belt and now pending shall be deemed to be valid and effective to the same extent for the like purposes, and subject in the like manner to the jurisdiction of the Board and to all the obligations and limitations imposed by the Water Acts, as if issued, done, taken, or made with respect to water in British Columbia not within the Railway Belt.

Protection of
Dominion
interests by
the Minister.

"11. The Comptroller of Water Rights shall supply the Minister with certified copies of all applications, notices, permits, certificates, licenses, protests hereinafter mentioned or other documents received or issued under the provisions of the Water Acts affecting lands or waters in the Railway Belt, within one month of the date of the receipt or issue of the same; and no water privilege, license or right to the use of water within the Railway Belt granted under the authority of the Water Acts, in connection with which a protest has been made in writing to the Comptroller of Water Rights, within three months from the date of the

posting and filing of the notice of application, by any homesteader, lessee or other lawful occupier of lands of the Crown belonging to Canada or by any administrative officer of the Dominion, shall be valid and effective unless and until the same shall have been approved by the Minister, subject to such terms and conditions as the Minister may prescribe.

“12. Notwithstanding any provision of any of the Water Acts, no privilege, license or right to the use of water shall be granted where the proposed use of the water would deprive any riparian proprietor adjoining the river, stream, lake or other source of supply of whatever water he requires for domestic purposes.”

Riparians
not to be
deprived of
water for
domestic
purposes.

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16-17 GEORGE V.

CHAP. 16.

An Act respecting trade relations with British West Indies, Bermuda, British Guiana, and British Honduras.

[Assented to 15th June, 1926].

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The West Indies Trade Agreement Act, 1926*. Short title.

2. The agreement of the sixth day of July, one thousand nine hundred and twenty-five, entered into at Ottawa between representatives of the Government of the Dominion of Canada and representatives of the Governments of the Bahama Islands, Barbados, Bermuda, British Guiana, British Honduras, Jamaica, the Leeward Islands, Trinidad and Tobago, and the Windward Islands, copy of which is set forth in the schedule to this Act, is hereby approved. Agreement approved.

3. After the said agreement is brought into force, and so long as it remains in force, goods mentioned in the said agreement, the produce or manufacture of any of the colonies parties to the said agreement, which are conveyed without transshipment, except transshipment at a port of any of the said colonies, by ship direct into a sea or river port of Canada shall be admitted to Canada at the rates of duties provided in the said agreement. Rates of duties on goods imported from British-American colonies.

4. The tariff concessions authorized by this Act to be extended to goods the produce or manufacture of any of the said colonies shall be so extended with respect to any one or more of the said colonies which may have ratified the said agreement on and after a day to be fixed by proclamation of the Governor in Council, which proclamation shall be published in the *Canada Gazette*. Date of operation of tariff concessions.

5.

Extension
of
advantages.

5. Subject to the provisions of *The Customs Tariff, 1907*, the Governor in Council may, by Order in Council, extend the said advantages to goods the produce or manufacture of any British country.

Orders in
Council
authorized.

6. The Governor in Council may make such orders and regulations as are deemed necessary to carry out the provisions and intent of this Act and of the said agreement.

Suspension
of
inconsistent
laws.

7. The operation of all laws inconsistent with the giving to the provisions of the said agreement and of this Act their full effect shall from time to time be suspended to the extent of such inconsistencies.

SCHEDULE.

AN AGREEMENT made this sixth day of July in the year of
Our Lord one thousand nine hundred and twenty-five

BETWEEN

The Dominion of Canada herein acting and represented by
The RIGHT HONOURABLE GEORGE PERRY GRAHAM,
LL.D., a member of His Majesty's Imperial Privy Council,
a member of His Majesty's Honourable Privy Council for
Canada, a member of the Parliament of Canada, Minister
of Railways and Canals of Canada;

The HONOURABLE JAMES ALEXANDER ROBB, a member
of His Majesty's Privy Council for Canada, a member of
the Parliament of Canada, Minister of Immigration and
Colonization and Acting Minister of Finance of Canada;

The HONOURABLE THOMAS ANDREW LOW, a member of
His Majesty's Privy Council for Canada, a member of the
Parliament of Canada, Minister of Trade and Commerce of
Canada;

The HONOURABLE WILLIAM RICHARD MOTHERWELL, a
member of His Majesty's Privy Council for Canada, a
member of the Parliament of Canada, Minister of Agri-
culture of Canada;

The HONOURABLE JOHN EWEN SINCLAIR, a member of
His Majesty's Privy Council for Canada, a member of
the Parliament of Canada, Minister without portfolio of
Canada, and

The HONOURABLE PIERRE JOSEPH ARTHUR CARDIN, a
member of His Majesty's Privy Council for Canada, a
member of the Parliament of Canada, Minister of Marine
and Fisheries of Canada, and Acting Minister of Customs
and Excise of Canada.

AND

The HONOURABLE HARCOURT GLADSTONE MALCOLM,
O.B.E., K.C., Speaker of the House of Assembly, represent-
ing the Government of the Bahama Islands;

SYDNEY THIRLWALL HARRISSON, C.M.G., O.B.E., Comptroller of Customs, representing the Government of Barbados;

The HONOURABLE JOHN PIERCE HAND, M.B.E., member of the Executive Council and of the House of Assembly, representing the Government of Bermuda;

The HONOURABLE SIR ALFRED PARKER SHERLOCK, Kt., member of the Executive Council, representing the Government of British Guiana;

The HONOURABLE CRAWFORD DOUGLAS DOUGLAS-JONES, C.M.G., Colonial Secretary, representing the Government of British Honduras;

The HONOURABLE WILLIAM MORRISON, member of the Privy Council and Legislative Council of Jamaica, representing the Government of Jamaica;

HERBERT HAZEL HART, representing the Government of the Leeward Islands;

The HONOURABLE HENRY BARCLAY WALCOTT, C.M.G., Treasurer, representing the Government of Trinidad and Tobago, and

HIS HONOUR LIEUTENANT-COLONEL WILFRED BENNETT DAVIDSON-HOUSTON, C.M.G., Administrator of St. Lucia, representing the Government of the Windward Islands.

WHEREAS a conference has been held between the above mentioned parties for the purpose of considering an agreement by which trade relations between them will be rendered closer and their respective trade extended and enlarged and the means of communication between them improved and made more efficient; and

WHEREAS the Dominion of Canada and the said Colonies mutually affirm the principle of granting preferences the one to the other on goods of their produce or manufacture with the end in view of increasing trade between them and of generally promoting the welfare and advancement of British America;

NOW THEREFORE in consideration of the premises these presents witness that the Parties aforesaid after communicating to each other their respective full powers found in good and due form have agreed upon the following articles:

PART I.—TRADE

ARTICLE I

Subject to the provisions of *The Customs Tariff, 1907*, and to the provisions of Article II hereof, the duties of customs on all goods (other than tobacco, cigars, cigarettes, and spirituous or alcoholic liquors) being the produce or manufacture of any of the Colonies aforesaid imported into Canada which are now subject to duty or which may be

made subject to duty at any future time shall not at any time be more than fifty per cent of the duties imposed on similar goods under the General Tariff of Canada.

ARTICLE II

Subject to the provisions of *The Customs Tariff, 1907*, the Dominion of Canada grants to the articles enumerated in Schedule A being the produce or manufacture of any of the Colonies aforesaid when imported into Canada the preferential treatment indicated in respect of each such article in the said Schedule A.

ARTICLE III

The Dominion of Canada undertakes to withdraw the benefit of the British Preferential Tariff from any British country which produces cocoa beans if that country does not extend a preference satisfactory to the Governor in Council of Canada to goods the produce or manufacture of Canada over like goods imported into such country from any foreign country.

ARTICLE IV

Subject to the provisions of Articles V and VI hereof the duties of customs on all goods (other than tobacco, cigars and cigarettes) being the produce or manufacture of Canada when imported into any of the Colonies aforesaid which are now subject to duty or which may be made subject to duty at any future time shall at any time be in the case of

- (a) the Bahamas not more than seventy-five per cent,
- (b) Barbados not more than fifty per cent,
- (c) British Guiana not more than fifty per cent,
- (d) British Honduras not more than sixty-six and two-thirds per cent,
- (e) Jamaica not more than seventy-five per cent,
- (f) Leeward Islands not more than sixty-six and two-thirds per cent,
- (g) Trinidad and Tobago not more than fifty per cent,
- (h) the Windward Islands not more than sixty-six and two-thirds per cent, of the duties imposed on similar goods when imported from any foreign country.

The Bahamas will use their best endeavours to make their percentage fifty per cent. Bermuda will grant preferential treatment to all imports of Canadian origin except wines, spirits, malt liquors, cigars, cigarettes and tobacco by removing the ten per cent surtax now imposed.

ARTICLE

ARTICLE V

The said Colonies grant to articles specified in Schedule B being the produce or manufacture of Canada when imported into any of the said Colonies the preferential treatment indicated in respect of each such article in the said Schedule B.

ARTICLE VI

In the case of the Bahamas the provisions of Article IV (a) shall not apply to wines, malt liquors, spirits, spirituous liquors, liquid medicines and articles containing alcohol.

ARTICLE VII

The Government of any of the said Colonies on giving six months' notice may provide that to be entitled to the concessions granted in Articles IV and V the products of Canada shall be conveyed without transshipment by ship direct from a Canadian port into such Colony or by way of one of the other Colonies entitled to the advantages of this agreement.

To enjoy the benefit of the tariff advantages conceded to the various Colonies by the Government of Canada the products of any of the said Colonies shall be conveyed without transshipment by ship direct into a sea or river port of Canada; provided, however, that transshipment shall be permitted at a port of any of the said Colonies.

ARTICLE VIII

Save as herein otherwise provided this agreement shall not interfere with any existing preference or with the granting of any future preference by the Dominion or by any of the said Colonies to any other part of the British Empire or with any existing preference or the granting of any future preference by the said Colonies among themselves.

PART II.—STEAMSHIP SERVICES

EASTERN GROUP

ARTICLE IX

Subject to the ratification of the present agreement as hereinafter stated in Article XII, the Government of Canada will arrange for a mail, passenger and freight steamship or motor ship service to come into effect as soon as possible, and in any case within fifteen months after the date of the ratification of this Agreement, between Canada, Bermuda, the Leeward Islands, the Windward Islands,

Barbados, Trinidad and British Guiana, on the following lines:

1. A fortnightly freight, passenger and mail service from Canadian ocean ports all the year round, calling each way at Bermuda, St. Kitts, Nevis, Antigua, Montserrat, Dominica, St. Lucia, Barbados, St. Vincent, Grenada, Tobago, Trinidad and Demerara.

2. The vessels shall be of from 5,000 to 6,000 tons gross, capable of maintaining an ocean speed of not less than 12 knots, and providing accommodation for 100 first-class, 30 second-class, and 100 steerage or deck passengers, and shall be provided with 'tween decks, and cold storage accommodation as required, but not less than 10,000 cubic feet.

3. In addition to the foregoing the Government of Canada will provide a fortnightly freight service with vessels of 4,300 tons or thereabouts dead weight, and a speed of about 10 knots, from Canadian river ports in summer and from Canadian ocean ports in winter calling at St. Kitts, Antigua, Barbados, Trinidad and Demerara.

ARTICLE X

The Government of Canada will stipulate in any contract entered into for such steamship or motorship service that:

1. There shall be reasonable proportionate allocation of passenger and cargo accommodation between the colonies mentioned in Article IX. As regards traffic from British Guiana, space shall be reserved on each sailing from that Colony for 100 tons of Intercolonial freight. Until otherwise arranged, first-class berths for 20 passengers between Demerara and Trinidad shall also be reserved on each north-bound vessel until 24 hours after the arrival of said vessel at Demerara; 10 of the said berths being also reserved for passengers proceeding north of Trinidad.

Freight space and passenger accommodation shall be booked by the agents of the steamship company in order of priority of application.

2. There shall be no unfair differentiation in rates of freight against the smaller Colonies as compared with the rates to and from larger Colonies situated at a similar distance from Canadian ports. Freight rates are to be subject to the control of the Government of Canada.

ARTICLE XI

The representatives of the Colonies mentioned in Article IX undertake that their Government shall contribute

towards such steamship service, when established, in the following amounts annually:

Barbados.....	£	5,000
Bermuda.....		1,500
British Guiana.....		8,500
Leeward Islands.....		2,500
Trinidad.....		9,000
Windward Islands.....		2,500
	£	29,000

Provided that if it is found impossible to call at Tobago the contribution of Trinidad shall be decreased by £1,500.

ARTICLE XII

Pending the establishment of such service the Government of Canada will use its best endeavours to maintain a fortnightly service on the existing lines.

The obligation of the Government of Canada to provide the steamship service referred to in Article IX is dependent upon ratification of this agreement by the colonies of the eastern group or by those of them whose ratification is by the Government of Canada deemed essential.

WESTERN GROUP

ARTICLE XIII

The Government of Canada undertakes to provide as soon as possible, and in any case within fifteen months after the ratification of this agreement as provided in Article XVI, a fortnightly mail, passenger and freight service between St. Lawrence ports in summer and such Canadian ocean ports in winter as may be designated by the Canadian Government, and calling both ways at Bermuda, the Bahamas, and Kingston, Jamaica, alternating with a fortnightly freight service between the said Canadian ports and Kingston, Jamaica, direct.

1. Passenger steamers to be similar in size to those proposed for the Eastern Route, that is to say, from 5,000 to 6,000 gross tons, ocean speed 14 knots, accommodation for 100 first-class passengers, with 'tween decks, and refrigeration for about 70,000 stems of bananas, and also cold storage for Canadian meats, fish, butter, cheese and other dairy products from Canada to the Colonies and for fruit, green vegetables, etc., from the Colonies to Canada.

2. Each of the freight steamers shall also have a speed of about 10 knots and refrigeration for about 50,000 stems of bananas.

3. A steamer operating on a fortnightly schedule connecting with the steamers specified in Article XIII-1 shall be supplied by the Government of Canada between British

Honduras and Kingston, Jamaica, of about 1,000 tons, speed 10 knots, with accommodation for at least 20 first-class passengers, and cold storage.

ARTICLE XIV

1. On representations being made by the respective Governments of Canada and Jamaica, such Governments shall have the control of the allocation of space for the carriage of bananas.

2. If possible, arrangements will be made to have the Eastern and Western services connect at Bermuda.

3. The Government of Canada reserves the right to permit the vessels mentioned in Article XIII to make calls at any other ports not mentioned in this Agreement, upon condition that regular weekly sailings to and from Kingston, Jamaica, are maintained.

ARTICLE XV

The representatives of the Colonies mentioned in Article XIII undertake that their Government shall contribute towards such services, when established, the following amounts:

In the case of Bermuda, £2,000 per annum; in the case of the Bahamas, £2,000 per annum; in the case of British Honduras, £2,000 per annum; and in the case of Jamaica, £12,000 per annum.

ARTICLE XVI

Pending the establishment of such services the Government of Canada will use its best endeavours to maintain a service every three weeks on the existing lines.

The obligation of the Government of Canada to provide the steamship services referred to in Article XIII is dependent upon ratification of this Agreement by the Colonies of the Western Group or by those of them whose ratification is by the Government of Canada deemed essential.

ARTICLE XVII

The rates of freight from Canada to Bermuda by the steamships operating under this Agreement shall not exceed the rates charged to Nassau, Bahamas, and/or Kingston, Jamaica in respect to the Western Group, or to Barbados, and/or Trinidad, and/or British Guiana in respect to the Eastern Group.

ARTICLE XVIII

1. Freight rates on all services shall be subject to the control of the Canadian Government. The Government of any Colony shall be at liberty at any time to make representations to the Canadian Government in respect to such rates, to which the Canadian Government shall give the fullest possible consideration.

2. There shall be reasonable proportionate allocation of passenger and cargo accommodation between the said Colonies.

PART III.—GENERAL PROVISIONS

ARTICLE XIX

In respect to Canada this agreement shall be subject to the approval of its parliament and in respect to each of the said Colonies to the approval of their respective legislatures and of the Secretary of State for the Colonies.

Upon approval being given by each of said Colonies respectively the agreement shall be brought into force thereupon or so soon thereafter as may be agreed upon between the Dominion of Canada and any Colony by proclamation to be published in the *Canada Gazette* and in the Official Gazette of each of the said Colonies.

On the present agreement being brought into effect it shall take the place of and be substituted in all respects for the trade agreement dated the eighteenth day of June, nineteen hundred and twenty, between the Dominion of Canada and the Colonies aforesaid.

ARTICLE XX

This agreement shall remain in force for twelve years after the proclamation aforesaid and thereafter until terminated by twelve months' notice given either by the Government of Canada or by the Government of any of the said Colonies but in the latter case the agreement shall remain in full force and effect as to any of the other Colonies which has not given such notice.

IN WITNESS WHEREOF the said Governments have signed this treaty at Ottawa, this sixth day of July in the Year of Our Lord, one thousand nine hundred and twenty-five, in a single copy which will be deposited in the Public Archives of the Dominion of Canada in the custody of the Secretary

of State for External Affairs of Canada and of which authenticated copies will be transmitted by the Government of Canada to each of the Governments of the said colonies.

GEO. P. GRAHAM,
JAMES A. ROBB,
THOS. A. LOW,
W. R. MOTHERWELL,
JOHN E. SINCLAIR,
P. J. ARTHUR CARDIN,
HARCOURT MALCOLM,
S. T. HARRISON,
JOHN P. HAND,
A. P. SHERLOCK,
C. DOUGLAS-JONES,
W. MORRISON,
H. H. HART,
H. B. WALCOTT,
WILFRED B. DAVIDSON-HOUSTON.

SCHEDULE A

1. SUGAR—(Tariff item 135)

Degrees of Polarization				Preference per 100 lbs.
Not exceeding 76.....			\$	0.48647
Exceeding 76 and not exceeding 77.....				0.51214
“ 77 “ “ 78.....				0.53781
“ 78 “ “ 79.....				0.56348
“ 79 “ “ 80.....				0.58915
“ 80 “ “ 81.....				0.61482
“ 81 “ “ 82.....				0.64049
“ 82 “ “ 83.....				0.66616
“ 83 “ “ 84.....				0.69183
“ 84 “ “ 85.....				0.71750
“ 85 “ “ 86.....				0.74317
“ 86 “ “ 87.....				0.76884
“ 87 “ “ 88.....				0.79451
“ 88 “ “ 89.....				0.82018
“ 89 “ “ 90.....				0.84585
“ 90 “ “ 91.....				0.87152
“ 91 “ “ 92.....				0.89719
“ 92 “ “ 93.....				0.92286
“ 93 “ “ 94.....				0.94853
“ 94 “ “ 95.....				0.97433
“ 95 “ “ 96.....				1.00000
“ 96 “ “ 97.....				1.02567
“ 97 “ “ 98.....				1.05134
“ 98 “ “				1.12000

The Customs Tariff of Canada shall provide that sugar above number 16 Dutch standard in colour when imported by a recognized sugar refiner, for refining purposes only, upon evidence satisfactory to the Minister of Customs, shall not be subject to these duties, *i.e.*, the duties on sugar over number 16 Dutch standard, specified in item 134 of the Canadian Tariff.

Provided that sugar as defined under item 134 of the Customs Tariff of Canada shall receive a preference of not less than 25 per cent of the duty charged on foreign sugar.

SCHEDULE A—*Con.*

2. BANANAS—

Bananas, when imported from the place of growth by ship, direct to a Canadian port, per stem or bunch.....

Free, as against a general tariff of fifty cents.

Bananas, n.o.p., per stem or bunch.....

Fifty cents under all tariffs.

The Government of Canada may provide that whenever the Governor in Council deems it to be in the public interest to inquire into any conspiracy, combination, agreement or arrangement alleged to exist among growers, dealers, shippers or carriers of bananas to promote the advantage of growers, dealers, shippers or carriers of bananas at the expense of the consumers, the Governor in Council may commission or empower the Minister of Customs and Excise of Canada to hold an enquiry and report to the Governor in Council whether such conspiracy, combination, agreement or arrangement exists. If the Minister reports that there is reason to believe such conspiracy, combination, agreement, or arrangement exists in respect to such article, the Governor in Council may admit bananas imported from all countries free of duty, or so reduce the duty thereon as to give to the public the benefit of reasonable competition in the article, if it appears to the Governor in Council that such disadvantage to the consumer is facilitated by the duties of customs imposed on bananas. Before alteration or reduction is made in duties the Colonies of Jamaica and British Honduras shall be notified.

The changes in the rates of duties on bananas shall take effect on the 1st January, 1927, or on such earlier date as the steamship service referred to in Article XIII of the agreement is established.

3. COCOA—

Cocoa beans, not roasted, crushed or ground.....per 100 lbs.

A preference of \$1.50 under the intermediate tariff and \$2 under the general tariff.

4. OTHER ITEMS—

Lime Juice, raw and concentrated, not refined.....per gallon

A preference of 15 cents.

Limes, fresh.....*ad valorem*

Free, as against a general tariff of 15 per cent.

Arrowroot.....per pound

Free, as against a general tariff of 1½ cents.

Cocoanuts, imported by ship direct to a Canadian port.....per 100

Free, as against a general tariff of 75 cents.

Cocoanuts, n.o.p. if not imported by ship direct.....per 100

A preference of 50 cents.

Grape fruit, imported by ship direct to a Canadian port.....per 100 lbs.

A preference of \$1 under the general tariff.

Grape fruit, n.o.p., if not imported by ship direct.....per 100 lbs.

A preference of 50 cents.

Rum, specified in customs tariff item 156a.

A preference of \$2 per gallon of the strength of proof.

Rum specified in customs tariff item 157b.

A preference of 60 cents per gallon of the strength of proof.

Onions.....*ad valorem*

Free, as against a general tariff of 30 per cent.

Cocoa butter.....per lb.

Free, as against a general tariff of 2 cents.

SCHEDULE A—*Con.*4. OTHER ITEMS—*Con.*

Coffee, green.....per lb.	Free, as against a general tariff of 3 cents.
Ginger and spices, unground, n.o.p.....ad valorem	Free, as against a general tariff of 12½ per cent.
Nutmegs and mace, whole or unground.....ad valorem	Free, as against a general tariff of 20 per cent.
Pineapples in air-tight cans or other air-tight packages, n.o.p., the weight of cans or other packages to be included in the weight for duty.....per lb.	½ cent.
Angostura bitters.....per proof gallon	\$5.
Sponges of marine production.ad valorem	Free, as against a general tariff of 17½ per cent.

Provided that nothing herein contained shall prevent the Government of Canada from changing the rates of duty provided the preferences granted herein are maintained.

SCHEDULE B

Part I.—Western Group.

Jamaica, the Bahamas and British Honduras grant

(1) on flour, a preference of two shillings per barrel of 196 pounds;

(2) on butter, cheese, lard, condensed milk, meats of all kinds, fish (canned, preserved, dried, salted, smoked or pickled), apples and potatoes, a preference of not less than 50 per cent.

Part II.—Barbados, Trinidad and British Guiana.

Barbados, Trinidad and British Guiana grant the following preferences:

On flour, two shillings per barrel of 196 pounds.	
Apples.....per barrel	50 cents.
Beef, salted and pickled.....per barrel of 200 pounds	\$1.50.
Boards, planks, scantling, shingles and lath (not of pitch pine)....ad valorem	A preference of not less than 66⅔ per cent
Boots and shoes.....ad valorem	A preference of not less than 66⅔ per cent
Butter.....per 100 lbs.	\$1.50.
Cement.....per cask of 400 lbs.	2 shillings.
Cheese.....per 100 lbs.	\$1.50.
Cocoa, prepared, in Trinidad and British Guiana.....per pound	4 cents.
in Barbados.....per 100 lbs.	Free as against a general tariff of \$2.
Confectionery.....	An <i>ad valorem</i> preference of not less than 66⅔ per cent or 4 cents per pound, according to the method of assessing the duty.
Cordage.....	An <i>ad valorem</i> preference of not less than 66⅔ per cent or 6 shillings per 100 pounds, according to the method of assessing the duty.
Fish, canned, preserved, dried, salted, smoked or pickled.....	An <i>ad valorem</i> preference of not less than 66⅔ per cent or 2 shillings per 100 lbs. which is to be a preference of not less than 66⅔ per cent according to the method of assessing the duty.

SCHEDULE B—*Con.*

Lard.....	per 100 lbs.	\$1.50.
Milk, condensed.....	per case of 48 lbs.	1 shilling.
Pork, salted or pickled.....	per barrel of 200 lbs.	\$1.50.

On all the items mentioned above except flour, Barbados, Trinidad and British Guiana agree that the preferential rate of duty shall in no case exceed one-third of the general rate nor shall the amount of the preference be less than that specified above.

British Guiana grants a preference of not less than 4 cents a gallon on gasoline and kerosene when refined from crude oil produced in British territory.

Part III.—Leeward and Windward Islands.

The Leeward and Windward Islands undertake to use their best endeavours to have granted similar preferences to those granted by Barbados, Trinidad and British Guiana in Part II of this Schedule above.

Part IV.—Special Preferences.

All the Colonies except the Bahamas and Bermuda grant the following preferences:

On spirits, *i.e.*, brandy, gin, rum, whiskey, unenumerated, potable, if tested, a preference of not less than 2 shillings 6 pence per gallon of the strength of proof.

Spirits, perfumed, unenumerated, potable, if not tested, a preference of not less than 2 shillings 6 pence per liquid gallon.

Wine, beer, and ale, a preference of not less than 20 per cent.

Part V.

Provided that nothing herein contained shall prevent any of the said Colonies from changing the rates of duty provided the preferences granted herein are maintained.

GEO. P. GRAHAM,
JAMES A. ROBB,
THOS. A. LOW,
W. R. MOTHERWELL,
JOHN E. SINCLAIR,
P. J. ARTHUR CARDIN,
HARCOURT MALCOLM,
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W. MORRISON,
H. H. HART,
H. B. WALCOTT,
WILFRED B. DAVIDSON-HOUSTON.

16-17 GEORGE V.

CHAP. 17.

An Act to amend The Yukon Quartz Mining Act.

[Assented to 15th June, 1926.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. (1) Paragraph (*q*) of section two of *The Yukon Quartz Mining Act*, chapter seventy-four of the statutes of 1924, is repealed, and the following is substituted therefor:—

“(q) ‘Mineral claim’ or ‘location’ means a plot of ground staked out and acquired under the provisions of this Act, or under the regulations or orders in council in force prior to the passing of this Act;”

“Mineral claim” or “location” defined.

2. All the provisions of the said Yukon Quartz Mining Act shall apply, and shall be deemed to have applied on and from the 19th July, 1924, to all mineral claims or locations whether staked out and acquired prior or subsequent to said date.

Application to mineral claims or locations.

OTTAWA: Printed by FREDERICK ALBERT ACLAND, Law Printer to the King's Most Excellent Majesty.

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